

Michigan Register

Issue No. 4— 2007 (Published March 15, 2007)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

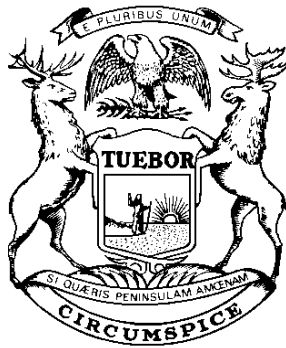
East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
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Issue No. 4— 2007

(This issue, published March 15, 2007, contains
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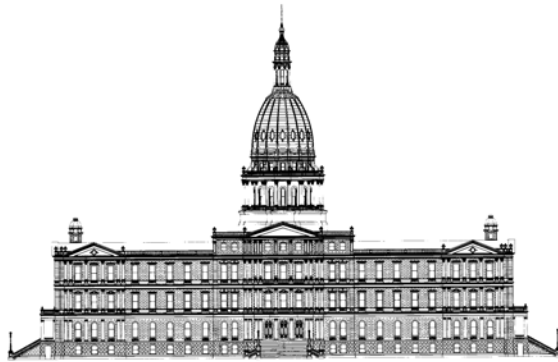
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Peter Plummer, Executive Director, State Office of Administrative Hearings and Rules; **Deidre O'Berry**, Administrative Rules Analyst for Operations and Publications.

Jennifer M. Granholm, Governor



John D. Cherry Jr., Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The State Office of Administrative Hearings and Rules publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

MCL 24.208 states:

Sec. 8 (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
 - (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
 - (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
 - (d) Proposed administrative rules.
 - (e) Notices of public hearings on proposed administrative rules.
 - (f) Administrative rules filed with the secretary of state.
 - (g) Emergency rules filed with the secretary of state.
 - (h) Notice of proposed and adopted agency guidelines.
 - (i) Other official information considered necessary or appropriate by the State Office of Administrative Hearings and Rules.
 - (j) Attorney general opinions.
 - (k) All of the items listed in section 7(1) after final approval by the certificate of need commission or the statewide health coordinating council under section 22215 or 22217 of the public health code, 1978 PA 368, MCL 333.22215 and 333.22217.
- (2) The State Office of Administrative Hearings and Rules shall publish a cumulative index for the Michigan register.
 - (3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.
 - (4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the State Office of Administrative Hearings and Rules may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.
 - (5) An agency shall transmit a copy of the proposed rules and notice of public hearing to the State Office of Administrative Hearings and Rules for publication in the Michigan register.

MCL 4.1203 states:

Sec. 203. (1) The Michigan register fund is created in the state treasury and shall be administered by the State Office of Administrative Hearings and Rules. The fund shall be expended only as provided in this section.

- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of Michigan register at a price determined by the State Office of Administrative Hearings and Rules not to exceed cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the State Office of Administrative Hearings and Rules shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the State Office of Administrative Hearings and Rules shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the State Office of Administrative Hearings and Rules shall be made available in the shortest feasible time after it is made available to the State Office of Administrative Hearings and Rules.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The State Office of Administrative Hearings and Rules shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the State Office of Administrative Hearings and Rules for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The State Office of Administrative Hearings and Rules is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, State Office of Administrative Hearings and Rules, Ottawa Building - Second Floor, 611 W. Ottawa, P.O. Box 30695, Lansing, MI 48933.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$400.00 per year. Submit subscription requests to: State Office of Administrative Hearings and Rules, Ottawa Building - Second Floor, 611 W. Ottawa, P.O. Box 30695, Lansing, MI 48933. Checks Payable: State of Michigan. Any questions should be directed to the State Office of Administrative Hearings and Rules (517) 335-2484.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the State Office of Administrative Hearings and Rules: www.michigan.gov/cis/0,1607,7-154-10576_35738---,00.html

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the State Office of Administrative Hearings and Rules Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Peter Plummer, Executive Director
State Office of Administrative Hearings and Rules

2007 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2007	February 1, 2007
2	February 1, 2007	February 15, 2007
3	February 15, 2007	March 1, 2007
4	March 1, 2007	March 15, 2007
5	March 15, 2007	April 1, 2007
6	April 1, 2007	April 15, 2007
7	April 15, 2007	May 1, 2007
8	May 1, 2007	May 15, 2007
9	May 15, 2007	June 1, 2007
10	June 1, 2007	June 15, 2007
11	June 15, 2007	July 1, 2007
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19	October 15, 2007	November 1, 2007
20	November 1, 2007	November 15, 2007
21	November 15, 2007	December 1, 2007
22	December 1, 2007	December 15, 2007
23	December 15, 2007	January 1, 2008
24	January 1, 2008	January 15, 2008

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FILED WITH THE SECRETARY OF STATE**

MCL 24.208 states in part:

“Sec. 8. (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state.”

ADMINISTRATIVE RULES

SOAHR 2005-089

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

PHARMACY - GENERAL RULES

Filed with the Secretary of State on February 21, 2007

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of community health by sections 16145(3) and 17701 of 1978 PA 368, MCL 333.16145(3) and 333.17701 et seq. and Executive Reorganization Order Nos. 1996-1, 1996-2, and 2003-01, being MCL 330.3101, 445.2001, and 445.2011)

October 11, 2006

R 338.471a, R 338.472, R 338.473, R 338.473a, R 338.473d, R 338.474a, R 338.475, R 338.479b and R 338.489, of the Michigan Administrative Code are amended as follows:

PART 1. GENERAL PROVISIONS

R 338.471a Definitions.

Rule 1a. As used in these rules:

(a) "Accredited college or school of pharmacy" means a college or school of pharmacy that is accredited by the accreditation council for pharmacy education, as provided in R 338.474(1)(a).

(b) "Board" means the board of pharmacy.

(c) "Code" means 1978 PA 368, MCL 333.1101.

(d) "Department" means the department of community health.

(e) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and

executed or adopted by a person with the intent to sign the record.

An electronic signature also is a unique identifier protected by appropriate security measures such that it is only available for use

by the intended individual and ensures non-repudiation so that the signature may not be rejected based on its validity.

(f) "Unconventional internship" means an educational program of professional and practical experience involving those pharmacy or

related pharmaceutical experiences which, by practical, on-the-job training, provide knowledge useful to the practice of the profession of pharmacy without meeting all of the criteria of a conventional internship.

R 338.472 Prescription drugs and devices; return or exchange for resale prohibited.

Rule 2. (1) For the protection of the public health and safety, prescription drugs or devices which have been dispensed and which have left the control of the pharmacist shall not be returned or exchanged for resale.

(2) Subrule (1) of this rule does not apply to a pharmacy operated by the department of corrections or under contract with the department of corrections or a county jail that has accepted a prescription drug for resale or redispensing, as provided under section 17766d of the code.

R 338.473 Intern licensure; eligibility; renewal; limitations.

Rule 3. (1) An applicant for a pharmacy intern license shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant shall establish that he or she is admitted to and actively enrolled in a professional program of study within an accredited college or school of pharmacy, as provided in R 338.474(1)(a).

(2) An intern shall engage in the practice of pharmacy only under the supervision of a pharmacist preceptor as defined in section 17708(1) of the code and only under the personal charge of a pharmacist.

R 338.473a Interns; eligibility; limited license; qualifications; supervision; notice of position change; duties; professional and practical experience; denial, suspension, or revocation of license.

Rule 3a. (1) An individual is eligible for intern licensure at the beginning of the first professional year of study in an accredited college or school of pharmacy.

(2) Upon application and payment of appropriate fees, a limited license shall be issued by the department to qualified applicants. The limited license shall remain active while the applicant is actively pursuing a degree in an accredited college or school of pharmacy and until licensure as a pharmacist or for not more than 1 year from the date of graduation from such college or school of pharmacy, unless extended by the board upon written request of the intern.

(3) An intern shall complete not less than 1,000 hours of internship experience, 500 hours of which shall be completed during the 18 months immediately preceding the examination for pharmacist licensure. An intern working in Michigan shall hold an intern license in order to earn the hours of internship experience required in Michigan. The minimum number of hours of internship experience may be satisfied by complying with any of the following provisions:

(a) Obtaining the minimum number of hours of experience under the personal charge of a qualified, approved preceptor.

(b) Completing a board-approved, structured practical experience program within the college or school of pharmacy curriculum.

(c) Through a combination of subdivisions (a) and (b) of this subrule.

(4) When eligible, a student shall apply for licensure as an intern.

(5) Hours of internship experience shall be computed from the date of board certification as a licensed intern. In computing the hours of internship experience, all of the following provisions shall apply:

(a) Experience shall be granted only upon verification by an approved pharmacy preceptor or other person previously approved by the board.

(b) The board may grant internship experience gained in unconventional internship programs. Up to 400 hours of internship experience may be granted for such unconventional education experiences.

(c) A maximum of 40 hours of internship experience shall be granted per calendar week served by the intern.

(d) A maximum of 16 hours of non-college-sponsored internship experience shall be granted per calendar week while the intern is a full-time student in a college or school of pharmacy, except during authorized vacation periods.

- (e) The board may grant credit for internship experience obtained through practice as an intern in another jurisdiction if the experience was comparable to the minimum standards set forth in these rules.
- (f) The board may accept experience as a licensed pharmacist in another jurisdiction as the equivalent of internship experience.
- (6) An intern shall be supervised by an approved pharmacist preceptor and shall, at all times, practice only under the personal charge of a pharmacist. The intern shall be responsible for verifying board approval of his or her pharmacy preceptor.
- (7) Within 30 days, an intern also shall notify the board if he or she is no longer actively enrolled in a pharmacy degree program at an accredited college or school of pharmacy.
- (8) Interns shall complete and submit such forms or examinations, or both, as deemed necessary by the board.
- (9) Interns shall receive professional and practical experience in at least all of the following areas:
 - (a) Pharmacy administration and management.
 - (b) Drug distribution, use, and control.
 - (c) Legal requirements.
 - (d) Providing health information services and advising patients.
 - (e) Pharmacists' ethical and professional responsibilities.
 - (f) Drug and product information.
- (10) Interns shall keep abreast of current developments in the internship program and the pharmacy profession.
- (11) The board may deny, suspend, or revoke the license of an intern or may deny hours of internship for failure to comply with pharmacy law or rules relating to pharmacy practice or internship.

R 338.473d Graduates of a non-accredited college or school of pharmacy; requirements; internship.

Rule 3d. (1) An applicant who is a graduate of a non-accredited college or school of pharmacy may be granted an intern license to comply with the requirements of R 338.473a(3) upon making application, payment of appropriate fees, and providing evidence of successful completion of the Foreign Pharmacy Graduate Examination Committee certification program administered by the National Association of Boards of Pharmacy, Foreign Pharmacy Graduate Examination Committee, 1600 Feehanville Dr., Mount Prospect, IL 60056.

(2) An intern license issued in accordance with this rule is valid for not more than 2 years from the date of issuance, unless extended by the board upon written request by the intern.

R 338.474 Pharmacist licensure; eligibility; examination.

Rule 4. (1) An applicant for licensure as a pharmacist shall submit a completed application on a form provided by the department, together with the appropriate fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant shall comply with all of the following requirements:

(a) Have completed the requirements for a degree in pharmacy from an accredited college or school of pharmacy education approved by the board or successfully completed the Foreign Pharmacy Graduate Examination Committee certification program administered by the National Association of Boards of Pharmacy, Foreign Pharmacy Graduate Examination Committee, 1600 Feehanville Dr., Mount Prospect, IL 60056. The board adopts by reference the standards of the Accreditation Council for Pharmacy Education, 20 North Clark St., Suite 2500, Chicago, IL 60602. The standards are set forth in the documents entitled "Standards and Guidelines for Accreditation of Professional Degree Programs in Pharmacy", 8th edition, January 1995; and, the "Accreditation Standards and Guidelines for the Professional Program in Pharmacy Leading to the Doctor of Pharmacy Degree", adopted June 14, 1997, of the Accreditation Council for Pharmacy Education. Copies of the standards are available at no cost

from the Council's website at <http://www.acpe-accredit.org/standards>. Copies of the guidelines also are available for inspection and distribution at cost from the Michigan Board of Pharmacy, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(b) Have completed a program of internship pursuant to these rules.

(c) Pass a jurisprudence examination, approved by the board, which measures an applicant's knowledge of the rules and regulations governing the practice of pharmacy with a scaled score of not less than 75.

(d) Pass an examination, approved by the board, which measures an applicant's theoretical and practical knowledge of pharmacy with a scaled score of not less than 75.

(2) An applicant who has not achieved a passing score on either of the examinations identified in subrule (1)(c) and (d) of this rule after 6 attempts may be reexamined only after meeting the requirements set forth in R 338.474a.

R 338.474a Licensure; reexamination.

Rule 4a. An applicant may take the examinations required by these rules on 6 separate occasions. An applicant who has not received a passing score on an examination after 6 attempts shall not take the examination a seventh or subsequent time, unless the applicant can demonstrate to the board that the applicant has complied with all of the following:

(a) Has enrolled as a student in a pharmacy education program approved by the board.

(b) Has taken courses which would provide a thorough review of those areas failed on the applicant's most recent examination.

(c) Has submitted certification to the board from the pharmacy education institution that the courses have been satisfactorily completed.

R 338.475 Licensure by endorsement; examination.

Rule 5. An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and administrative rules promulgated pursuant thereto, an applicant shall satisfy both of the following requirements:

(a) Pass an examination, approved by the board, which measures an applicant's knowledge of the rules and regulations governing the practice of pharmacy with a scaled score of not less than 75.

(b) Satisfy those requirements in existence in this state at the time he or she was licensed in another state.

R 338.479b Noncontrolled prescriptions.

Rule 9b. (1) A prescriber who issues a prescription for a noncontrolled legend drug shall date and sign the prescription and shall ensure that the prescription contains all of the following information:

(a) The full name of the patient for whom the drug is being prescribed.

(b) The prescriber's printed name and address.

(c) The drug name and strength.

(d) The quantity prescribed.

(e) The directions for use.

(f) The number of refills authorized.

(2) A prescriber shall ensure that a prescription is legible and that the information specified in subrule (1)(c) to (f) of this rule is clearly separated.

(3) A prescriber shall not prescribe more than the following on a single prescription form as applicable:

(a) For a prescription prescribed in handwritten form, up to 4 prescription drug orders.

(b) For a prescription prescribed on a computer-generated form or a preprinted list or produced on a personal computer or typewriter, up to 6 prescription drug orders.

(4) A prescriber shall not add handwritten drugs to a preprinted form and shall clearly designate which drugs are to be dispensed.

(5) A prescriber shall not prescribe a controlled and noncontrolled substance on the same prescription form.

(6) A prescription is valid for 1 year from the date the prescription was issued.

(7) A prescriber shall clearly indicate the total number of drugs prescribed for each prescription.

(8) A noncontrolled substance prescription may be transmitted electronically from the prescriber to the pharmacy of the patient's choice, and shall occur by utilizing a system that includes the following:

(a) A combination of technical security measures such as, but not limited to, those listed in R 164.312 under Subpart C – Security Standards for the Protection of Electronic Protected Health Information of 45 CFR Part 164 that implements the federal Health Insurance Portability and Accountability Act of 1996, to ensure all of the following:

(i) Authentication of an individual who prescribes or dispenses.

(ii) Technical non-repudiation.

(iii) Content integrity.

(iv) Confidentiality.

(b) An electronic signature as defined in R 338.471a(e). An electronic signature is valid only when it is used to sign a prescription that is transmitted electronically from a prescriber to a pharmacy.

(c) Appropriate security measures to invalidate a prescription if either the electronic signature or prescription record to which it is attached or logically associated is altered or compromised following transmission by the prescriber. The electronic prescription may be reformatted to comply with industry standards provided that no data is added, deleted, or changed.

(9) The electronic prescription shall meet any other requirements of the federal Health Insurance Portability and Accountability Act.

(10) The electronic prescription shall permit the prescriber to instruct the pharmacist to dispense a brand name drug product provided that the prescription includes both of the following:

(i) The indication that no substitute is allowed, such as "dispense as written" or "DAW".

(ii) The indication that no substitute is allowed and that it is a unique element in the prescription.

(11) If the prescription is transmitted electronically, the prescriber shall generate and transmit the prescription in a format that can be read and stored by a pharmacy in a retrievable and readable form. The electronic prescription shall identify the name of the pharmacy intended to receive the transmission, and shall include the information identified in subrule (1) of this rule.

(12) The electronic prescription shall be preserved by a licensee or dispensing prescriber for not less than 5 years. A paper version of the electronic prescription shall be made available to an authorized agent of the board upon request. A secured copy shall be retained for a minimum of 1 year by the transaction service vendor for record-keeping purposes and shall be shared only with the parties involved in the transaction except as otherwise permitted by state or federal law.

(13) An electronic signature that meets the requirements of this rule shall have the full force and effect of a handwritten signature on a paper-based written prescription.

(14) This rule does not apply to inpatient medical institutions.

R 338.489 Automated devices.

Rule 19. (1) An automated device means a device designed for the specific purpose of selling, dispensing, or otherwise disposing of any drug or device ordered by a prescription.

(2) An automated device may be used only in the following locations:

(a) A pharmacy.

- (b) A hospital.
 - (c) A county medical care facility.
 - (d) A hospice.
 - (e) A nursing home.
 - (f) Other skilled nursing facility as defined in 1978 PA 368, MCL 333.20109.
 - (g) An office of a dispensing prescriber.
- (3) An automated device designed for the specific purpose of selling, dispensing, or otherwise disposing of any drug or device ordered by a prescription, as defined in the code, and located within a licensed pharmacy shall be used only by a pharmacist or other pharmacy personnel under the personal charge of a pharmacist.
- (4) If an automated dispensing device is used in a dispensing prescriber's office, the device shall be used only to dispense medications to the dispensing prescriber's patients and only under the control of the dispensing prescriber. A pharmacy shall not own, control, or operate an automatic dispensing device in a dispensing prescriber's office.
- (a) If a dispensing prescriber delegates the stocking of the device, then technologies shall be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing a board-approved error prevention technology that complies with R 338.3154.
- (b) A dispensing prescriber operating an automated device is responsible for all medications that are stocked and stored in that device as well as removed from that device.
- (c) If any medication or device is dispensed from an automated device, then documentation as to the type of equipment, serial numbers, content, policies, procedures, and location within the facility shall be maintained by the dispensing prescriber for review by an agent of the board. This documentation shall include at least all of the following information:
- (i) Manufacturer name and model.
 - (ii) Quality assurance policy and procedure to determine continued appropriate use and performance of the automated device.
 - (iii) Policy and procedures for system operation that addresses at a minimum all of the following:
 - (A) Accuracy.
 - (B) Patient confidentiality.
 - (C) Access.
 - (D) Data retention or archival records.
 - (E) Downtime procedures.
 - (F) Emergency procedures.
 - (G) Medication security.
 - (H) Quality assurance.
- (5) An automated device that is to be used for the furnishing of medications for administration to registered patients in any hospital, county medical care facility, nursing home, hospice, or any other skilled nursing facility, as defined in 1978 PA 368, MCL 333.20109, shall be supplied and controlled by a pharmacy that is licensed and located in this state. The use of an automated device in these locations is not limited to the provisions of subrule (3) of this rule. If a pharmacist delegates the stocking of the device, then technologies shall be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing a board-approved error prevention technology that complies with R 338.3154. Each such device shall comply with all of the following provisions:
- (a) A pharmacy operating an automated device is responsible for all medications that are stocked and stored in that device as well as removed from that device.
 - (b) If any medication or device is dispensed from an automated device, then documentation as to the type of equipment, serial numbers, content, policies, procedures, and location within the facility shall be

maintained by the pharmacy for review by an agent of the board. The documentation shall include at least all of the following information:

- (i) Name and address of the pharmacy responsible for the operation of the automated device.
- (ii) Name and address of the facility where the device is located.
- (iii) Manufacturer name and model number.
- (iv) Quality assurance policy and procedure to determine continued appropriate use and performance of the automated device.
- (v) Policy and procedures for system operation that address at a minimum all of the following:
 - (A) Accuracy.
 - (B) Patient confidentiality.
 - (C) Access.
 - (D) Data retention or archival records.
 - (E) Downtime procedures.
 - (F) Emergency procedures.
 - (G) Medication security.
 - (H) Quality assurance.
- (I) Ability to provide on demand to an agent of the board a list of medications qualifying for emergency dose removal without pharmacist prior review of the prescription or medication order.
- (6) Records and electronic data kept by automated devices shall meet all of the following requirements:
 - (a) All events involving access to the contents of the automated devices shall be recorded electronically.
 - (b) Records shall be maintained for 5 years by the pharmacy and shall be retrievable on demand for review by an agent of the board. The records shall include all of the following information:
 - (i) The unique identity of device accessed.
 - (ii) Identification of the individual accessing the device.
 - (iii) The type of transaction.
 - (iv) The name, strength, dosage form and quantity of the drug accessed.
 - (v) The name of the patient for whom the drug was ordered.
 - (vi) Identification of the pharmacist responsible for the accuracy of the medications to be stocked or restocked in the device.
- (7) Policy and procedures for the use of the automated device shall include a requirement for pharmacist review of the prescription or medication order before system profiling or removal of any medication from the system for immediate patient administration. This subrule does not apply to the following situations:
 - (a) The system is being used as an after-hours cabinet for medication dispensing in the absence of a pharmacist as provided in R 338.486(4)(i).
 - (b) The system is being used in place of an emergency kit as provided in R 338.486(4)(c).
 - (c) The system is being accessed to remove medication required to treat the emergent needs of a patient as provided in R 338.486(4)(c). A sufficient quantity to meet the emergent needs of the patient may be removed until a pharmacist is available to review the medication order.
 - (d) In each of the situations specified in subdivisions (a) to (c) of this subrule, a pharmacist shall review the orders and authorize any further dispensing within 48 hours.
 - (e) The device is located in a dispensing prescriber's office.
- (8) A copy of all policies and procedures related to the use of an automated device shall be maintained at the pharmacy responsible for the device's specific location or at the dispensing prescriber's office and be available for review by an agent of the board.

ADMINISTRATIVE RULES

SOAHR 2005-090

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

PHARMACY - CONTROLLED SUBSTANCES

Filed with the Secretary of State on February 21, 2007

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of community health by sections 16145(3) and 7301 of 1978 PA 368 MCL 333.16145(3) and 333.7301 et seq. and Executive Reorganization Order Numbers 1996-1, 1996-2 and 2003-1, MCL 330.3101, 445.2001 and 445.2011)

October 11, 2006

R 338.3102, R 338.3120, R 338.3123, R 338.3125, R 338.3132, R 338.3154, R 338.3161, R 338.3162, R 338.3162b, R 338.3162c, and R 338.3162d of the Michigan Administrative Code are amended as follows:

PART 1. GENERAL PROVISIONS

R 338.3102 Definitions; I to P.

Rule 2. (1) As used in these rules:

- (a) "Inventory" means all stocks in finished form of a controlled substance that is manufactured or otherwise acquired by a licensee, whether in bulk or commercial containers or contained in pharmaceutical preparations in the possession of the licensee.
- (b) "Licensee" means a person who is licensed pursuant to section 7303 of the act.
- (c) "Michigan automated prescription system (maps) claim form" means a form, to be determined by the department, that is in the format and includes the information as specified by the American Society for Automation in Pharmacy (ASAP) and contains the information specified in R 338.3162b.
- (d) "National drug code number (ndc)" means a number that identifies the labeler/vendor, product, and package size and is assigned to each drug product listed under section 510, registration of producers of drugs and devices, of the federal food, drug, and cosmetic act.
- (e) "Officer" means a state, county, or local law enforcement officer who has a duty to enforce the laws of this state.
- (f) "Patient identifier" includes all of the following information about a patient:
 - (i) Full name.
 - (ii) Address, including zip code.
 - (iii) Date of birth.

(iv) Any 1 of the following:

(A) A Michigan driver's license number.

(B) An identification number obtained from a photo identification card issued by the state of Michigan.

(C) The number zero. Zeroes shall be entered as the identification number, if the positive identification presented by the patient or the patient's agent or caregiver does not include a license number or an identification number, as listed in subparagraphs (A) and (B) of this paragraph.

(g) "Positive identification" means identification that includes a photograph of an individual in addition to his or her date of birth. Positive identification shall include an identification card issued by a governmental agency, provided the identification card meets the requirements of this rule.

(2) As used in part 5 of these rules:

(a) "Medical institution" means an inpatient health facility which is licensed or approved by the state and which directly or indirectly provides or includes pharmacy services.

(b) "Pharmacy services" means the direct and indirect patient care services associated with the practice of pharmacy.

PART 2. SCHEDULES

R 338.3120 Schedule 3; stimulants; depressants; nalorphine.

Rule 20. (1) Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers whether optical, position, or geometric, and the salts of such isomers, when the existence of such salts, isomers, and the salts of isomers is possible within the specific chemical designation, is included in schedule 3:

(a) Benzphetamine.

(b) Chlorphentermine.

(c) Clortermine.

(d) Phendimetrazine.

(2) Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers whether optical, position, or geometric, and the salts of such isomers, when the existence of such salts, isomers, and the salts of isomers is possible within the specific chemical designation, is included in schedule 3:

Chlorhexadol.

Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the federal food, drug, and cosmetic act of 1938, 21 U.S.C. §301 et seq.

Ketamine.

(d) Lysergic acid.

(e) Lysergic acid amide.

(f) Methyprylon.

(g) Pentazocine.

(h) Sulfondiethylmethane.

(i) Sulfonethylmethane.

(j) Sulfonmethane.

(k) Tiletamine-zolazepam.

(3) A compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or a salt thereof and 1 or more other active medicinal ingredients that are not listed in a schedule is included in schedule 3.

- (4) A suppository dosage form which contains amobarbital, secobarbital, pentobarbital, or a salt of any of these drugs and which is approved by the food and drug administration for marketing only as a suppository is included in schedule 3.
- (5) A substance that contains any quantity of a derivative of barbituric acid or any salt thereof is included in schedule 3.
- (6) Nalorphine is included in schedule 3.
- (7) Buprenorphine is included in schedule 3.

R 338.3123 Schedule 4; depressants; drugs affecting the central nervous system: stimulants; exempt chemical preparations for industrial use; exceptions; narcotic drugs.

Rule 23. (1) Unless specifically excepted, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system, including its salts, isomers, and the salts of isomers when the existence of such salts, isomers, and the salts of isomers is possible within the specific chemical designation, is included in schedule 4:

- (a) Alprazolam.
- (b) Barbital.
- (c) Bromazepam.
- (d) Camazepam.
- (e) Chloralbetaine.
- (f) Chloral hydrate.
- (g) Chlordiazepoxide.
- (h) Clobazam.
- (i) Clonazepam.
- (j) Clorazepate.
- (k) Clotiazepam.
- (l) Cloxazolam.
- (m) Dichloralphenazone.
- (n) Delorazepam.
- (o) Dextropropoxyphene.
- (p) Diazepam.
- (q) Estazolam.
- (r) Eszopiclone.
- (s) Ethchlorvynol.
- (t) Ethinamate.
- (u) Ethyl loflazepate.
- (v) Fludiazepam.
- (w) Flunitrazepam.
- (x) Flurazepam.
- (y) Halazepam.
- (z) Haloxazolam.
- (aa) Ketazolam.
- (bb) Loprazolam.
- (cc) Lorazepam.
- (dd) Lormetazepam.
- (ee) Mebutamate.
- (ff) Medazepam.
- (gg) Meprobamate.

- (hh) Methohexital.
- (ii) Methylphenobarbital (mephobarbital)
- (jj) Midazolam.
- (kk) Modafinil.
- (ll) Nimetazepam.
- (mm) Nitrazepam.
- (nn) Nordiazepam.
- (oo) Oxazepam.
- (pp) Oxazolam.
- (qq) Paraldehyde.
- (rr) Petrichloral.
- (ss) Phenobarbital.
- (tt) Pinazepam.
- (uu) Prazepam.
- (vv) Quazepam.
- (ww) Temazepam.
- (xx) Tetrazepam.
- (yy) Triazolam.
- (zz) Zaleplon.
- (aaa) Zolpidem.

(2) Unless specifically excepted, a material, compound, mixture, or preparation that contains any quantity of fenfluramine having a potential for abuse associated with an effect on the central nervous system, including its salts, isomers, whether optical, position, or geometric, and the salts of such isomers when the existence of such salts, isomers, and the salts of isomers is possible, is included in schedule 4:

(3) Unless specifically excepted, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system, including its salts, isomers, whether optical, position, or geometric, and the salts of such isomers when the existence of such salts, isomers, and the salts of isomers is possible within the specific chemical designation, is included in schedule 4:

Cathine ((+)-norpseudoephedrine).

Dexfenfluramine.

(c) Diethylpropion.

(d) Fencamfamin.

(e) Fenproporex.

(f) Mazindol.

(g) Mefenorex.

(h) Phentermine.

(i) Pemoline, including organometallic complexes and chelates thereof.

(j) Pipradrol.

(k) Sibutramine.

(l) SPA((-)-1-dimethylamino-1,2-diphenylethane).

(4) Unless specifically excepted or unless listed in another schedule, any natural compound, mixture, or prescription which contains butorphanol, including its optical isomers and its salts, is included in schedule 4.

(5) Chloral hydrate is designated as an exempt chemical preparation for industrial use when packaged in a sealed, oxygen free environment under nitrogen pressure and safeguarded against exposure to air.

(6) Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation containing limited quantities of not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit or any salts thereof is included in schedule 4.

R 338.3125 Schedule 5; narcotics added to nonnarcotic compounds.

Rule 25. (1) Schedule 5 includes the drug pregabalin by whatever official, common, usual, chemical, or brand name designated.

(2) A compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which includes 1 or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation a valuable medicinal quality other than that possessed by the narcotic drug alone, is included in schedule 5:

(a) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams, and not more than 10 milligrams per dosage unit.

(b) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams, and not more than 4 milligrams per dosage unit.

(c) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams, and not more than 5 milligrams per dosage unit.

(d) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams, and not more than 5 milligrams per dosage unit.

(e) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(f) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(3) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of either of the following substances which have a stimulate effect on the central nervous system, including its salts, isomers, and salts of isomers, is included in schedule 5:

(a) Propylhexedrine.

(b) Pyrovalerone.

PART 3. LICENSES

R 338.3132 Activities requiring separate licenses.

Rule 32. (1) The following activities are deemed to be independent of each other, shall be conducted under separate licenses, and shall comply with all of the requirements and duties prescribed by law for persons who are licensed to engage in such coincidental activities:

(a) Manufacturing and distributing a controlled substance. A person who is licensed to manufacture a controlled substance listed in schedules 2 to 5 may conduct chemical analysis and research with a substance that is listed in the schedules.

(b) Dispensing a controlled substance listed in schedules 2 to 5. A physician who is licensed to prescribe or dispense controlled substances listed in schedules 2 to 5 may conduct research with those substances.

(c) Conducting research and instructional activity with a controlled substance listed in schedule 1 as follows:

(i) A person who is licensed to conduct research with controlled substances listed in schedule 1 may do both of the following:

(A) Manufacture the substances as set forth in the research protocol that is filed and approved by the federal food and drug administration and the drug enforcement administration (DEA) pursuant to the

provisions of 21 C.F.R. §1301.18 and submitted with the application for licensure. The Code of Federal Regulations, Title 21, Food and Drugs, part 1301, containing §1301.18 is available free of charge via the Internet at web-site <http://www.gpoaccess.gov>. Printed copies may be purchased by mail order from the United States Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, USA, by calling toll free at 1-866-512-1800, or via the Internet at web-site <http://bookstore.gpo.gov> at a cost of \$24.00 as of the time of adoption of these amendments. Printed copies of 21 C.F.R. §1301.18 also are available for inspection and for distribution to the public at cost at the Department of Community Health, Bureau of Health Professions, Ottawa Building – First Floor, 611 West Ottawa, Lansing, MI 48909.

(B) Distribute the substances to other persons who are licensed or authorized to conduct research or chemical analysis with the schedule 1 substances.

(ii) A licensed physician who is authorized to conduct research with schedule 1 substances under federal law may conduct research with those substances, upon furnishing the administrator with evidence of that federal authorization. A separate license is not required for the research activity.

(d) Conducting research with a controlled substance listed in schedules 2 to 5. A person who is licensed or authorized to conduct research with the controlled substances listed in schedules 2 to 5 may conduct chemical analysis with the substances listed in those schedules, manufacture the substances if, and to the extent that, such manufacture is set forth in a statement filed with the application for licensure, distribute the substances to other persons who are licensed or authorized to conduct research, chemical analysis, or instructional activity with the substances, and conduct instructional activities with the substances.

(e) Conducting instructional activities with a controlled substance listed in schedules 2 to 5.

(f) Prescribing, dispensing, or administering a controlled substance to a drug-dependent person in a drug treatment and rehabilitation program.

(g) Conducting chemical analysis with a controlled substance listed in any schedule. A person who is licensed or authorized to conduct chemical analysis with all controlled substances may manufacture such substances for analytical or instructional purposes, distribute the substances to other persons who are licensed or authorized to conduct chemical analysis, instructional activity or research with the substances, and conduct instructional activities with the substances.

(2) A separate license is required for each principal place of business or professional practice. A principal place of business or a professional practice is the physical location where controlled substances are manufactured, grown, cultivated, processed, or by other means produced or prepared, distributed, stored, or dispensed by a licensee.

(3) If a principal place of business or professional practice consists of multiple locations, then each location shall obtain a separate controlled substance license if controlled substances are received, stored, administered, or dispensed at that location.

(4) A prescriber or practitioner who holds a controlled substance license to prescribe, administer, or dispense controlled substances at a principal place of business or professional practice consisting of multiple locations shall not be required to obtain a separate controlled substance license for each physical location of the principal place of business or professional practice if the prescriber or practitioner only prescribes at the location.

(5) A pharmacist who holds a controlled substance license may dispense from any licensed pharmacy.

(6) A separate controlled substances license is required, as provided in R 338.3154(4), when controlled substances are stored in an automated device and the automated device is not located at the same address as the pharmacy responsible for the device.

PART 5. RECORDS

R 338.3154 Medication records in medical institutions.

Rule 54. (1) A patient's chart shall constitute a record of medications ordered for, and actually administered to, a patient of medical institutions.

(2) Medication records are required for all controlled substances listed in schedules 2, 3, 4, and 5 of R 338.3116 to R 338.3125. At a minimum, these records shall include all of the following information:

- (a) The number of doses of controlled substances purchased.
- (b) The number of doses dispensed to individual patients or distributed to nursing stations or both.
- (c) The number of doses administered.
- (d) The number of doses dispensed, but not administered, to the patient.
- (e) An annual physical inventory and status of any discrepancies between the inventory and the records of acquisition and the dispensing records.

(3) If the controlled substance is not dispensed to an individual patient, all of the following provisions shall be complied with:

(a) Medication records for those controlled substances in schedules 2, 3, 4, and 5 of R 338.3116 to R 338.3125 shall be maintained.

(b) Distribution of a controlled substance to a nursing unit shall not be more than 25 doses per container.

(c) A distribution record for each multiple of 25 doses shall be used to account for delivery to a nursing unit. The record shall include all of the following information:

- (i) The name and dose of the controlled substance.
- (ii) The quantity of the substance.
- (iii) The date of delivery.
- (iv) The location of the nursing unit.
- (v) The name of the distributing pharmacy and address if a different location from the medical institution.
- (vi) Name of distributing pharmacist.
- (vii) The name of the individual on the nursing unit who receives the substance.

(d) A proof of use record shall be maintained to account for all doses of an administered substance. The record shall include all of the following:

- (i) The name of the substance.
- (ii) The dose administered.
- (iii) The date and time a dose was administered.
- (iv) The name of the patient.
- (v) The signature of the individual who administered the dose.

(e) Subrule 3 of this rule does not apply to automated dispensing devices.

(4) If a controlled substance or any medication or device is dispensed from an automated device, then documentation as to the type of equipment, serial numbers, content, policies, procedures, and location within the facility shall be maintained on-site in the pharmacy for review by the department. When patient medication is stocked in an automated device, the pharmacy responsible for the device shall obtain an additional controlled substance license for each hospital, county medical care facility, nursing home, hospice, or other skilled nursing facility as defined in 1978 PA 368, MCL 333.20109, when the pharmacy is not located at the same address as the facility and controlled substances are dispensed from the automated device. The documentation shall include at least all of the following information:

- (a) Name and address of the pharmacy or facility responsible for the operation of the automated device. Manufacturer name and model number.
- (c) Quality assurance policy and procedure to determine continued appropriate use and performance of the automated device.
- (d) Policy and procedure for system operation that includes all of the following:
 - (i) Safety.
 - (ii) Security.

- (iii) Accuracy.
 - (iv) Patient confidentiality.
 - (v) Access.
 - (vi) Controlled substances.
 - (vii) Data retention or archival.
 - (viii) Definitions.
 - (ix) Downtime procedures.
 - (x) Emergency procedures.
 - (xi) Inspection.
 - (xii) Installation requirements.
 - (xiii) Maintenance.
 - (xiv) Medication security.
 - (xv) Quality assurance.
 - (xvi) Medication inventory.
 - (xvii) Staff education and training.
 - (xviii) System set-up and malfunction.
 - (xix) List of medications qualifying for emergency dose removal without pharmacist prior review of the prescription or medication order.
- (5) Automated devices shall have adequate security systems and procedures, evidenced by written pharmacy policies and procedures that document all of the following information:
- Prevention of unauthorized access or use.
 - Compliance with any applicable federal and state regulations.
 - Maintenance of patient confidentiality.
- (6) Records and electronic data kept by automated devices shall meet all of the following requirements:
- (a) All events involving access to the contents of the automated devices shall be recorded electronically.
 - (b) Records shall be maintained by the pharmacy responsible for the device and shall be readily retrievable. The records shall include all of the following information:
 - (i) The unique identity of device accessed.
 - (ii) Identification of the individual accessing the device.
 - (iii) The type of transaction.
 - (iv) The name, strength, dosage form and quantity of the drug accessed.
 - (v) The name of the patient for whom the drug was ordered.
 - (vi) Identification of the pharmacist checking for the accuracy of the medications to be stocked or restocked in the device.
 - (vii) If the pharmacist delegates the stocking of the device, then technologies shall be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing a board-approved error prevention technology that is in compliance with R 338.490. This subdivision takes effect April 11, 2003.
 - (viii) Additional information as the pharmacist may deem necessary.
- (7) For medication removed from the system for on-site patient administration, the system shall document all of the following information:
- (a) The name of the patient.
 - (b) The date and time medication was removed from the device.
 - (c) The name, initials, or other unique identifier of the person removing the drug.
 - (d) The name, strength, and dosage form of the drug. The documentation may be on paper or electronic medium.
- (8) The automated device shall provide a mechanism for securing and accounting for medications once removed from and subsequently returned to, the automated device return bin. Neither medication nor a

device may be returned directly to the system for immediate reissue or reuse. Medication or devices once removed shall not be reused or reissued, except as indicated in R 338.486(7).

(9) The automated device shall provide a mechanism for securing and accounting for wasted or discarded medications.

(10) The internal quality assurance documentation for the use and performance of the automated device shall include at least all of the following:

- (a) Safety monitors that include wrong medications removed and administered to patient.
- (b) Accuracy monitors that include filling errors and wrong medications removed.
- (c) Security monitors that include unauthorized access, patients not in the system, system security breaches, and controlled substance audits.
- (d) Policies that establish corrective measures taken to address the problems and errors identified in the internal quality assurance program and its integration to the overall quality assurance policies.

(11) Policy and procedures for the use of the automated device shall include a requirement for pharmacist review of the prescription or medication order before system profiling or removal of any medication from the system for immediate patient administration. This subrule does not apply to the following situations:

(a) The system is being used as an after-hours cabinet for medication dispensing in the absence of a pharmacist as provided in R 338.486(4)(i).

(b) The system is being used in place of an emergency kit as provided in R 338.486(4)(c).

(c) The system is being accessed to remove medication required to treat the emergent needs of a patient as provided in R 338.486(4)(c). A sufficient quantity to meet the emergent needs of the patient may be removed until a pharmacist is available to review the medication order.

(d) In each of the situations specified in subdivisions (a) to (c) of this subrule, a pharmacist shall review the orders and authorize any further dispensing within 48 hours.

(12) A copy of all pharmacy policies and procedures related to the use of an automated device shall be maintained at the pharmacy responsible for the device's specific location and be available for review by an agent of the board.

(13) A controlled substance that is maintained at a nursing unit shall be stored in a securely locked cabinet or medication cart that is accessible only to an individual who is responsible for the administration or distribution of the medication.

(14) Records and documents required under this rule shall be maintained or controlled by the pharmacy responsible for the device for 2 years.

(15) An individual who is responsible for administering a controlled substance or a portion thereof shall record the quantity, disposition and an explanation of the destruction of the controlled substance on the proper accountability record. If the institution has a policy that reflects current practice standards and delineates the method of destruction, an explanation would only be required if policy was not followed.

PART 6. DISPENSING AND ADMINISTERING CONTROLLED SUBSTANCE PRESCRIPTIONS

R 338.3161 Controlled substance prescriptions.

Rule 61. (1) A prescription that is issued for a controlled substance shall be dated and signed when issued and shall contain all of the following information:

- (a) The full name and address of the patient for whom the substance is being prescribed.
- (b) The prescriber's drug enforcement administration (dea) registration number, printed name, address, and professional designation.
- (c) The drug name, strength, and dosage form.

(d) The quantity prescribed. For a prescription received in writing, the prescription shall contain the quantity in both written and numerical terms. A written prescription is in compliance if it contains preprinted numbers representative of the quantity next to which is a box or line the prescriber may check.

(e) The directions for use.

(f) In addition, if the prescription is for an animal, then the species of the animal and the full name and address of the owner.

(2) A written prescription for a controlled substance in schedules 2 to 5 shall be written legibly with ink or an indelible pencil, or prepared using a printer and shall be signed by the prescriber.

(3) An agent of the prescriber may prepare a prescription for the signature of the prescriber, but, pursuant to the act, the prescriber is liable if the prescription does not conform to these rules. A pharmacist who dispenses a controlled substance pursuant to a prescription not prepared in the form required by these rules is liable pursuant to the act.

(4) If the controlled substance prescription or order in a medical institution is issued pursuant to delegation under R 338.2304, R 338.2305, R 338.108a, or R 338.108b then the printed name of the delegatee, the licensure designation, the delegating prescriber, and the signature of the delegatee shall be on the written prescription. In medical facilities, orders shall contain the signatures of the delegatee and the printed name of the delegating prescriber.

(5) A prescription shall not be issued by a prescriber to obtain a stock of a controlled substance for the purpose of dispensing or administering the substance to patients.

(6) A prescriber shall not prescribe a controlled and noncontrolled substance on the same prescription form.

R 338.3162 Dispensing by pharmacists; delivery of controlled substances.

Rule 62. (1) A controlled substance shall be dispensed by a pharmacist or a pharmacy intern in the presence, and under the immediate supervision, of a pharmacist.

(2) A pharmacist shall require positive identification of individuals to whom controlled substances are dispensed or delivered when the individual is not known to the pharmacist or pharmacy employees. The following provide for waiver of this requirement:

(a) When positive identification is not available and a pharmacist, who in exercising his or her professional judgment, determines that a delay in dispensing the controlled substance may be detrimental to a patient.

(b) Subdivision (a) of this subrule does not exempt a pharmacist from the requirement to submit a patient identifier, as defined in R 338.3102(1)(f).

(3) The dispensing pharmacist and pharmacy are responsible for compliance with this rule.

(4) Except as provided by R 338.3162a, a pharmacist may dispense a controlled substance which is listed in schedules 3 to 5 and which is a prescription drug pursuant to the provisions of the federal food, drug, and cosmetic act of 1991, 21 U.S.C. §201.100(b)(i) et seq., only pursuant to a written, electronically transmitted, or oral order of a prescriber that contains all of the required information under R 338.3161, except that the signature of the prescriber is not required if the controlled substance is obtained pursuant to an oral order.

(5) If an oral order for a controlled substance listed in schedule 3 to 5 is transmitted by the prescriber's agent under delegation then all of the following shall be recorded on the prescription generated at the pharmacy:

The information required by R 338.3161.

The transmitting agent's identity.

The individual who received the prescription at the pharmacy.

(6) Only an order that is issued in the usual course of professional treatment or in the course of legitimate and authorized research is a prescription.

R 338.3162b Electronic system for monitoring schedules 2, 3, 4, and 5 controlled substances.

Rule 62b. (1) A pharmacist, dispensing prescriber, and veterinarian licensed under Part 177 who dispenses a prescription drug which is a controlled substance listed in schedules 2 to 5 or a pharmacy licensed by the state that dispenses in this state or dispenses to an address in this state a controlled substance listed in schedules 2 to 5 shall report to the department or the department's contractor by means of an electronic data transmittal process the following information for each prescription of a schedules 2 to 5 controlled substance prescription dispensed:

(a) The patient identifier, as defined in R 338.3102(1)(f). The following apply:

(i) An identification number, as specified in R 338.3102(1)(f)(iv)(A) or (B), is not required for patients under the age of 16.

(ii) If the patient is under 16 years of age, zeroes shall be entered as the identification number.

(iii) If the patient is an animal, positive identification of the animal's owner that meets the requirements of R 338.3102(1)(f)(iv).

(b) The name of the controlled substance dispensed.

(c) The metric quantity of the controlled substance dispensed.

(d) The national drug code number (ndc) of the controlled substance dispensed.

(e) The date of issue of the prescription.

(f) The date of dispensing.

(g) The estimated days of supply of the controlled substance dispensed.

(h) The prescription number assigned by the dispenser.

(i) The dea registration number of the prescriber and the dispensing pharmacy.

(j) The Michigan license number of the dispensing pharmacy.

(2) A pharmacist, dispensing prescriber, or veterinarian may presume that the patient identification information provided by a patient or a patient's representative is correct.

R 338.3162c Format for electronic transmission of data; waiver.

Rule 62c. (1) A pharmacist, dispensing prescriber, or veterinarian who dispenses a prescription drug which is a controlled substance listed in schedules 2 to 5 shall transmit the data, as specified under R 338.3162b, by electronic media or other means as approved by the department or the department's contractor.

(2) The data shall be transmitted in the format established by the american society for automation in pharmacy (asap) telecommunications format for controlled substances.

(3) A pharmacist, dispensing prescriber, or veterinarian who dispenses controlled substances and who does not have an automated record-keeping system capable of producing an electronic report in the format established by subrule (2) of this rule may request a waiver from electronic reporting. The request shall be made in writing to the department.

(4) A pharmacist, dispensing prescriber, or veterinarian may be granted a waiver, if he or she demonstrates an inability to report as required by R 338.3162b and he or she agrees in writing to report the data to the department or the department's contractor by submitting a completed maps claim form as defined in R 338.3102(c) or transmitting data via an internet web portal that is provided by the Department or the Department's contractor for this purpose.

R 338.3162d Required reporting of prescription data; error reporting.

Rule 62d. (1) A pharmacist, pharmacy, dispensing prescriber, or veterinarian shall report all schedules 2 to 5 controlled substances dispensed beginning on the date that these amendatory rules take effect.

- (2) The data required by R 338.3162b shall be forwarded by on-line transmission, computer diskette, compact disk, or other approved medium, as specified in R 338.3162c to the department or the department's contractor twice monthly, by the first calendar day and the 15th calendar day of each month immediately following the month in which the prescription was dispensed, and shall include the data for all controlled substances dispensed since the previous transmission or report. A pharmacist, pharmacy, dispensing prescriber, or veterinarian may choose 2 different dates to report each month, provided that they are within 2 calendar days of the first calendar day and the 15th calendar day of each month and they include all controlled substances dispensed since the previous transmission or report.
- (3) For each pharmacist, pharmacy, dispensing prescriber, or veterinarian who does not have the capacity to forward the information as specified in R 338.3162b, the information shall be mailed or delivered to a location specified by the department or the department's contractor twice monthly by the first calendar day and the 15th calendar day of the month following the month in which the prescription was dispensed, and shall include the data for all controlled substances dispensed since the previous transmission or report. The pharmacist, pharmacy, dispensing prescriber, or veterinarian may choose 2 different dates to report each month provided they are within 2 days of the first calendar day and the 15th calendar day of each month and they include all controlled substances dispensed since the previous transmission or report.
- (4) The department or the department's contractor shall notify a pharmacist, pharmacy, dispensing prescriber, or veterinarian of an error in data reporting. Upon receiving notification of an error in data reporting, a pharmacist, pharmacy, dispensing prescriber, or veterinarian shall take appropriate measures to correct the error and transmit the corrected data to the department or the department's contractor within 15 days of being notified of the error.
- (5) A pharmacist, pharmacy, dispensing prescriber, or veterinarian who fails to report the dispensing of a prescription for a controlled substance listed in schedules 2 to 5 as required, beginning on the date that these amendatory rules take effect, shall be subject to the penalty provisions in sections 16221, 17741, or 17768 in article 15 of the act.

ADMINISTRATIVE RULES

SOAHR 2005-091

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

PHARMACY - CONTINUING EDUCATION

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of community health by sections 16145(3) and 17731 of 1978 PA 368, MCL 333.16145(3) and 333.17731 et seq. and Executive Reorganization Order Numbers 1996-1, 1996-2, and 2003-1, being MCL 330.3101, 445.2001, and 445.2011)

October 11, 2006

R 338.3041, R 338.3043, and R 338.3044 of the Michigan Administrative Code are amended as follows:

R 338.3041 Continuing education requirements; applicability.

Rule 1. (1) These rules apply to applications for renewal of a pharmacist's license. A renewal shall not be granted unless the applicant has fulfilled the requirements of these rules.

(2) An applicant who was originally licensed in Michigan less than 1 year before the renewal date is not required to comply with these rules.

(3) An applicant who was originally licensed in Michigan more than 1 year but less than 2 years before the renewal date shall have accumulated 15 hours of continuing education credits pursuant to these rules. An applicant under this subrule shall be exempt from the requirement of subrule (5) of this rule.

(4) Except as otherwise provided in subrules (2) and (3) of this rule, an applicant for renewal of a pharmacist's license shall furnish the board with satisfactory evidence that the applicant completed not less than 30 hours of continuing education credits acceptable to the board, as provided in R 338.3043, during the 2-year renewal period. An applicant shall comply with subdivisions (5), (6) and (7) of this subrule. This subrule takes effect July 1, 2007.

(5) An applicant shall obtain a minimum of 10 hours of continuing education credits by attending live courses or programs that provide for direct interaction between faculty and participants, including but not limited to, lectures, symposia, live teleconferences, and workshops. This subrule takes effect July 1, 2007.

(6) An applicant for license renewal shall complete in each renewal period at least 1 continuing education hour in pain management, as required under section 16204 of the code. This subrule takes effect July 1, 2007.

(7) An applicant may not earn more than 12 hours of continuing education in a day. This subrule takes effect July 1, 2007.

(8) Before applying to renew a license, an applicant shall possess certificates confirming continuing education credits awarded that are dated no later than the date the applicant submits the renewal application.

R 338.3043 Education courses and programs; standards for approval.

Rule 3. (1) The board shall approve continuing education courses or programs pursuant to the standards in this rule.

(2) An organized continuing education course or program shall be a planned learning program designed to promote the continual development of knowledge, skills, and attitudes on the part of the pharmacist. The course or program shall be an individual organized educational experience under responsible sponsorship and capable direction and shall provide qualified instruction.

(3) A continuing education course or program shall be developed and presented by a sponsor and shall provide all of the following:

(a) Administrative support which ensures maintenance and availability of adequate records of participation.

(b) An adequate budget and resources.

(c) Appropriate, qualified, competent teaching staff.

(d) A statement of educational goals or measurable behavioral objectives, or both.

(e) Delivery methods that allow for active participation and involvement.

(f) Appropriate, adequate facilities.

(g) Evaluations of the participant and the provider.

(4) The accreditation council for pharmacy education (acpe) may certify a provider whose course or program was developed and presented in compliance with subrule (3) of this rule. The board may accept such certification as prima facie proof that a course or program meets the standards set forth in subrule (3) of this rule.

(5) A provider of a course or program that does not fall within subrule (4) of this rule may submit an application for approval. The application shall be submitted on a form provided by the board.

(6) A continuing education course or program shall include study in 1 or more of the following subjects:

(a) Social, psychological, economic, and legal aspects of health care delivery.

(b) The properties and actions of drugs and dosage forms.

(c) Etiology, characteristics, and therapeutics of the disease state.

(d) Emergency skills.

(e) Specialized professional services.

(f) Other areas of study that the board finds are designed to maintain or enhance a pharmacist's ability to deliver competent pharmacy services.

R 338.3044 Computation of credit hours.

Rule 4. (1) If an organized continuing education course or program is offered in segments of 50 to 60 minutes each, 1 hour of credit shall be given for each such segment. A pharmacist shall not be granted multiple credit for the same program of continuing education in the same licensure renewal period. For purposes of this rule, continuing education time shall exclude all of the following:

Coffee breaks.

Breakfast, lunch, or dinner breaks.

Any other breaks in the program.

(2) A pharmacist may earn 1 hour of continuing education credit for each hour devoted to a home study program offered through an acpe-approved provider or other instructional approaches that include an evaluation component including, but not limited to, on-line continuing education programs and journal

articles, with a maximum of 20 continuing education hours obtained in each renewal period. A pharmacist shall not be granted multiple credit for the same program of continuing education in the same licensure renewal period.

(3) Two hours of continuing education credit may be earned for each hour spent in actually presenting a course or program which has been approved for continuing education credit. A presenter shall not be granted multiple credit for the same program of continuing education in the same licensure renewal period.

(4) Twelve hours of continuing education credit may be earned for each 1 academic quarter hour of postgraduate study of a course approved for continuing education credit given by an academic institution approved by the board.

(5) Eighteen hours of continuing education credit may be earned for each 1 academic semester hour of postgraduate study of course approved for continuing education credit given by an academic institution approved by the board.

ADMINISTRATIVE RULES

SOAHR 2006-008

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

EMPLOYMENT SECURITY BOARD OF REVIEW

Filed with the Secretary of State on February 21, 2007
These rules take effect 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of labor and economic growth by section 36(1) of 1936 (Ex. Sess.) PA 1 and Executive Reorganization Order Nos. 1996-2 and 2003-1, being MCL 421.36(1), 445.2001, and 445.2011)

November 6, 2006

R 421.1101, R 421.1103, R 421.1104, R 421.1108, R 421.1109, R 421.1110, R 421.1111, R 421.1301, R 421.1302, R 421.1304, R 421.1305, R 421.1307, R 421.1314, R 421.1315, and R 421.1316 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 421.1101 Definitions.

Rule 101. As used in these rules:

- (a) "Act" means 1936 (Ex. Sess.) PA 1, MCL 421.1 et. seq.
- (b) "Agent office" means an unemployment insurance office outside the state of Michigan serving as agent of the agency.
- (c) "Board of review" or "board" means the Michigan employment security board of review.
- (d) "Agency" means the unemployment insurance agency as created in Executive Reorganization Order No. 2003-1, MCL 445.2011.
- (e) Unless the context otherwise requires, the word "party" means the agency, the employing unit, and the claimant, and includes an agent or attorney of the agency, the employing unit, or the claimant.
- (f) "Referee" means a hearing officer or administrative law judge with the state office of administrative hearings and rules (SOAHR) as created in Executive Reorganization Order No. 2005-1, MCL 445.2021.
- (g) "Rehearing" means a request for review of a decision of a referee or the board of review received within 30 days after the date of mailing of the decision.
- (h) "Reopening" means a request for review of a decision of a referee or the board of review received after the 30th day, but within one year, after the date of mailing of the decision.

R 421.1103 Principal office of agency and board; location.

Rule 103. (1) The principal office of the unemployment insurance agency is Cadillac Place, 3024 W. Grand Blvd., Detroit, Michigan 48202.

(2) The principal office of the Michigan Employment Security Board of Review is Ottawa Bldg., Fourth Floor, 611 Ottawa St., Lansing, Michigan 48909-7975.

R 421.1104 Service of decisions, notices, and orders; "principal office" defined.

Rule 104. (1) A decision, notice, or order shall be served on each party and on the agent or attorney of record for each party by any of the following methods:

(a) Personal service.

(b) Depositing copies, which are enclosed in an envelope that is properly sealed, addressed, and posted to such person at his or her address appearing on the record of the appeal proceedings, in a United States mail receptacle.

(c) Certified or registered mail.

An affidavit or certification of the person making such service shall be prima facie proof of service which is rebuttable by a preponderance of the credible evidence.

(2) If a written request for a notice of a referee hearing or a specific referee decision is received by the agency before the date of mailing of such notice or decision from a claimant's collective bargaining representative who is not the claimant's agent of record or from a claimant's employer who is not a party, each such notice of hearing or referee decision shall be served by any of the methods in subrule (1) of this rule on the principal office of the claimant's collective bargaining representative, if any, or of the employer, where the claim involves any of the following:

(a) Whether a claimant is disqualified under section 29(1)(g), 29(8), or 29(9) of the act.

(b) Whether money paid a claimant is vacation or holiday pay within the meaning of a collective bargaining agreement under section 48 of the act.

(c) Whether a claimant is on a leave of absence within the meaning of a collective bargaining agreement under section 48 of the act.

(d) The impact of a collective bargaining agreement on the issue of suitable work under section 28 or 29 of the act, including, but not limited to, the claimant's prior training, prior earnings, experience, and possible loss of recall or seniority rights.

(e) A claim for federal unemployment benefits where the employer is not a party.

(3) For purposes of subrule (2) of this rule, "principal office" means a collective bargaining representative address filed with the agency by the representative or the claimant or an employer address filed with the agency by the employer.

(4) The provision, pursuant to subrule (2) of this rule, of either a notice of a referee hearing or a referee decision, or both, to a collective bargaining representative or to an employer who is not a party does not serve to make such collective bargaining representative or employer a party under these rules.

R 421.1108 Witness fee vouchers; processing.

Rule 108. At the conclusion of a testimonial hearing by the referee or the board of review, witness fee vouchers shall be processed by the agency for payment for those witnesses who satisfy all of the following conditions:

(a) Were duly subpoenaed.

(b) Appeared in person at the hearing.

(c) Verified their mileage and proper mailing addresses.

R 421.1109 "Good cause" defined.

Rule 109. As used in these rules, "good cause" includes, but is not limited to, any of the following:

(a) Newly discovered material evidence.

(b) A legitimate inability to act sooner.

(c) A failure to receive a reasonable and timely notice, order, or decision.

(d) Untimely delivery of a protest, appeal, or an agency document by a business or governmental agency entrusted with delivery of mail.

(e) Having been misled by incorrect information from the agency, referee, or board of review.

R 421.1110 Employer or claimant fraud; hearing procedure.

Rule 110. (1) A hearing of employer or claimant fraud under section 54, 54a, 54b, 54c, or 62(b), (c), or (d) of the act shall be preceded by a written notice of the penalties and issues involved.

(2) Where one party, including the agency, has documentary evidence or witnesses concerning another party's alleged fraud; the party shall make a witness list and the documentary evidence available to the other party or parties not less than 10 days before a fraud hearing.

R 421.1111 Decisions of board and courts; subject matter index; copies.

Rule 111. Copies of Michigan court decisions involving the act where the agency is a party shall be kept on file by the agency at Cadillac Place, 3024 W. Grand Blvd., Detroit, Michigan 48202. To the extent practicable, the board of review shall maintain a digest, indexed by subject, of selected board of review and related court decisions. The subject matter index and copies of the decisions shall be available to the public for reference purposes.

PART 3. APPEALS TO BOARD OF REVIEW

R 421.1301 Appeal; form.

Rule 301. (1) An appeal to the board of review shall be in writing and shall be signed by the party appealing or his agent.

(2) Forms for appeals to the board of review and for rehearing by the board of review shall be available at the office of the board of review and all agency offices that are open to the public.

R 421.1302 Appeal; deadline; procedure for late appeal.

Rule 302. (1) An appeal to the board of review may be received at the office of the board of review, the principal office or any office of the agency, or by any agent office of the agency outside the state of Michigan.

(2) To be received on time, an appeal to the board of review must be received within 30 days after the date of mailing of the referee's decision or the referee's order denying rehearing or the referee's order denying reopening.

(3) The board of review is without jurisdiction to consider the merits of any appeal received after the 30-day appeal period. A party whose appeal is received by the board of review after the 30-day appeal period may request a reopening by the referee pursuant to R 421.1212. If the referee grants reopening, he or she will issue a new decision and the new decision may then be appealed to the board of review pursuant to R 421.1302(1)-(2).

(4) An appeal or request for rehearing or reopening to the board of review may be made by personal service, postal delivery, facsimile transmission, or other electronic means as prescribed by the board of review. If an appeal or request is made by facsimile transmission, the following will be presumed: That the facsimile transmission was received on time if it was received by the board of review not later than the last minute of the day of the applicable deadline as provided in these rules under prevailing Michigan time.

(b) That the facsimile transmission was received on the date and at the time electronically entered or printed on the face of the document, subject to verification by the board of review at its discretion.

R 421.1304 Oral argument; application; reasons.

Rule 304. (1) Oral argument to the board of review shall be by permission only.

(2) If a party wishes to apply for permission to make an oral argument to the board of review, the party shall make a request, in writing, setting forth the reasons for requesting permission for oral argument.

(3) Reasons for requesting oral argument include, but are not limited to, any of the following:

(a) The appeal involves an issue on which the law is unsettled or unclear.

(b) The appeal involves an issue of major precedential value.

(c) The record made by the referee is so lengthy that oral argument will be of special assistance to the board in reviewing the record.

(d) Unusual complexities affecting the referee's decision were present at any stage of the proceedings.

(e) The referee's decision departed from established legal precedent.

(4) To be timely, the application shall be received by the board of review not later than 20 days after the date of mailing of the referee hearing transcript, unless a reason constituting good cause is given.

On the motion of 2 members of the board of review panel assigned to review a pending appeal, the board of review may offer the parties the opportunity to submit an application for oral argument more than 20 days after the date of mailing of the referee hearing transcript.

(6) To be granted, the application shall be approved by 2 members of the board of review panel assigned to review the appeal.

(7) The board of review may consider oral argument presented by conference telephone.

R 421.1305 Presentation of additional evidence; application.

Rule 305. (1) Presentation of additional evidence to the board of review shall be by permission of the board of review only.

(2) If a party wishes to apply to the board of review for permission to present additional evidence, he or she shall make an application in writing setting forth his or her reasons for applying for permission.

(3) To be timely, the application shall be received by the board of review not later than 20 days after the date of mailing of the referee hearing transcript, unless a reason constituting good cause is given.

(4) To be granted, the application shall be approved by 2 members of the board of review panel assigned to review the appeal.

R 421.1307 Written argument; reply; deadlines; consideration; agreement; application for oral argument or additional evidence not deemed written argument; amicus briefs.

Rule 307. (1) A party's written argument, if any, together with a statement of service of a copy on each other party, shall be received by the board of review not later than 20 days after the date of mailing of the referee hearing transcript. However, if an oral hearing is granted, written argument may be presented at any time at or before the oral hearing.

(2) A reply, if any, to another party's timely written argument, together with a statement of service of a copy on each other party, shall be received by the board of review not later than 20 days after the date of mailing of the other party's written argument.

(3) An extension of time for the filing of written argument may be permitted by the board if warranted by the circumstances.

(4) The board of review may consider a party's written argument only if any of the following conditions exist:

(a) All parties are represented by an attorney or other agent of record.

(b) All parties agree that the board may consider written argument.

(c) The board orders oral argument before it.

(d) The board orders evidence produced before it.

(5) As to subrule (4)(b) of this rule, the agreement shall be signed by each party and received by the board of review not later than 20 days after the date of mailing of the referee hearing transcript.

(6) A party's application to the board of review for either oral argument or additional evidence shall not be deemed a written argument within the meaning of this rule.

(7) When the parties are permitted to submit written argument pursuant to this rule and section 34 of the act, the board of review may consider requests for permission to submit an amicus brief from persons or organizations that are not parties to the matter before the board. If the board, in its discretion, grants such a request, all parties shall be notified and the brief shall thereafter be submitted to the board, together with a statement of service of a copy on each of the parties.

R 421.1314 Rehearing of the board of review's decision.

Rule 314. (1) A request for a rehearing of a board of review decision shall be received by the board of review or by an agent office of the agency or an office of the agency within 30 days after the date of mailing of the decision.

(2) A rehearing may also be granted on the board of review's own motion.

(3) Granting a rehearing is within the discretion of the board of review.

(4) If a request for rehearing is denied, both the denial and the board of review's decision may be appealed to the appropriate circuit court pursuant to section 38 of the act.

(5) A rehearing request received after the 30th day shall be treated as a request for reopening pursuant to R 421.1315.

R 421.1315 Reopening and review of the board of review's decision.

Rule 315. (1) A request for a reopening and review of the board of review's decision shall be received by the board of review or by an agent office of the agency or an office of the agency within 1 year, but more than 30 days, after the date of mailing of the decision.

(2) Reopening will be granted only if good cause is established. If the board of review grants reopening, the order or decision allowing reopening shall contain a statement of the basis of the good cause finding. If the board of review denies reopening, the order denying reopening shall contain a statement of the basis for the denial.

(3) Reopening and review may also be granted on the board of review's own motion if the review is initiated by the board, with notice to the interested parties, within 1 year after the date of mailing of the decision.

(4) If good cause is established, the board of review shall issue an order allowing reopening. The board of review shall thereafter decide the underlying issues of the case based on the record already made and any additional evidence the board of review may enter into the record.

(5) If a request for reopening is denied, both the denial of reopening and the board of review's decision may be appealed to the appropriate circuit court pursuant to section 38 of the act.

R 421.1316 Notice of rights of appeal.

Rule 316. (1) Each board of review decision or final order shall notify the parties of all of the following:

A party has the right to make a timely appeal of a decision or final order of the board of review to a circuit court.

A party may make a timely request to the board of review to rehear a decision.

A party may make a timely request to the board of review, subject to a showing of good cause, to reopen and review a decision.

(2) Each board of review decision or final order shall state the deadline and places of receipt of the above alternatives. It shall also state in boldface type: **“TO PROTECT YOUR RIGHTS, YOU MUST BE ON TIME.”**

ADMINISTRATIVE RULES

SOAHR 2006-024

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

OFFICE OF FINANCIAL AND INSURANCE SERVICES

CERTIFICATES – DISCRETIONARY CLAUSES

Filed with the Secretary of State on February 23, 2007

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the commissioner of the office of financial and insurance services by sections 422 and 617 of the nonprofit health care corporation reform act, 1980 PA 350, 1969 PA 306, and E.R.O. No 2003-1; MCL 550.1422, MCL 550.1617, MCL 24.231 to MCL 24.233, and MCL 445.2011)

8/31/2006

R 550.111 and R 550.112 are added to the Michigan Administrative Code as follows:

R 550.111 Definitions.

Rule 1. As used in these rules:

(a) “Appeal” means an appeal by a subscriber or other claimant of a claim denial by a health care corporation. It includes appeals to administrative agencies, arbitrators, courts, and mediators.

(b) “Commissioner” means the commissioner of the office of financial and insurance services.

(c) “Discretionary clause” is a provision in a form that purports to bind the claimant to or grant deference in subsequent proceedings to the health care corporation’s decision, denial, or interpretation on terms, coverage, or eligibility for benefits including, but not limited to, a form provision that does any of the following:

(i) Provides that a subscriber or other claimant may not appeal a denial of a claim.

(ii) Provides that the health care corporation’s decision to deny policy coverage is binding upon a subscriber or other claimant.

(iii) Provides that on appeal the health care corporation’s decision-making power as to policy coverage is binding.

(iv) Provides that the health care corporation’s interpretation of the terms of a form is binding upon a subscriber or other claimant.

(v) Provides that on appeal the health care corporation’s interpretation of the terms of a form is binding.

(vi) Provides that or gives rise to a standard of review on appeal that gives deference to the original claim decision.

(vii) Provides that or gives rise to a standard of review on appeal other than a *de novo* review.

(d) “Form” means a certificate defined in section 104(3) of the nonprofit health care corporation reform act, 1980 PA 350, MCL 550.1104(3).

(e) Terms defined in the nonprofit health care corporation reform act, 1980 PA 350, have the same meanings when used in these rules.

R 550.112 Discretionary clauses prohibited.

Rule 2. (a) A discretionary clause is unjust, unfair, inequitable, misleading, deceptive, and encourages misrepresentation of the coverage within the meaning of section 607(3)(b) of the nonprofit health care corporation act, 1980 PA 350, MCL 550.1607(3)(b).

(b) On and after the first day of the first month following the effective date of these rules, a health care corporation shall not issue, advertise, or deliver to any person in this state a policy, contract, rider, indorsement, certificate, or similar contract document that contains a discretionary clause. This does not apply to a contract document in use before that date, but does apply to any such document revised in any respect on or after that date.

(c) On and after the first day of the first month following the effective date of these rules, a discretionary clause issued or delivered to any person in this state in a policy, contract, rider, indorsement, certificate, or similar contract document is void and of no effect. This does not apply to contract documents in use before that date, but does apply to any such document revised in any respect on or after that date.

(d) Nothing in this rule limits the commissioner’s authority under section 607(5) of the nonprofit health care corporation reform act, 1980 PA 350, MCL 550.607(5), to disapprove any form that contains a discretionary clause.

(e) By the first day of the second month following the effective date of these rules, each health care corporation transacting insurance in this state shall submit to the commissioner a list of all forms in effect in Michigan that contain discretionary clauses and shall submit a certification that the list is complete and accurate. If a health care corporation has no such forms in effect, it shall submit a letter to the commissioner reporting and certifying that fact.

ADMINISTRATIVE RULES

SOAHR 2006-026

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

OFFICE OF FINANCIAL AND INSURANCE SERVICES

INSURANCE POLICY FORMS – DISCRETIONARY CLAUSES

Filed with the Secretary of State on February 23, 2007

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the commissioner of the Office of Financial and Insurance Services by sections 210 and 2236 of the insurance code of 1956, 1956 PA 218, 1969 PA 306, E.R.O. No 2000-2 and E.R.O. No 2003-1; MCL 500.210, MCL 500.2236, MCL 24.231 to MCL 24.233, MCL 445.2003, and MCL 445.2011)

8/31/2006

R 500.2201 and R 500.2202 are added to the Michigan Administrative Code as follows:

R 500.2201 Definitions.

Rule 1. As used in these rules:

(a) “Appeal” means an appeal by a policyholder or other claimant of a claim denial by an insurer. It includes appeals to administrative agencies, arbitrators, courts, and mediators.

(b) “Commissioner” means the commissioner of the office of financial and insurance services.

(c) “Discretionary clause” is a provision in a form that purports to bind the claimant to or grant deference in subsequent proceedings to the insurer’s decision, denial, or interpretation on terms, coverage, or eligibility for benefits including, but not limited to, a form provision that does any of the following:

(i) Provides that a policyholder or other claimant may not appeal a denial of a claim.

(ii) Provides that the insurer’s decision to deny policy coverage is binding upon a policyholder or other claimant.

(iii) Provides that on appeal the insurer’s decision-making power as to policy coverage is binding.

(iv) Provides that the insurer’s interpretation of the terms of a form is binding upon a policyholder or other claimant.

(v) Provides that on appeal the insurer’s interpretation of the terms of a form is binding.

(vi) Provides that or gives rise to a standard of review on appeal that gives deference to the original claim decision.

(vii) Provides that or gives rise to a standard of review on appeal other than a *de novo* review.

(d) “Form” means a form identified in MCL 500.2236(1).

(e) Terms defined in the insurance code of 1956, 1956 PA 218, MCL 500.100 to MCL 500.8302, have the same meanings when used in these rules.

R 500.2202 Discretionary Clauses Prohibited.

Rule 2. (a) A discretionary clause unreasonably reduces the risk purported to be assumed in the general coverage of the policy within the meaning of MCL 500.2236(5).

(b) On and after the first day of the first month following the effective date of these rules, an insurer shall not issue, advertise, or deliver to any person in this state a policy, contract, rider, indorsement, certificate, or similar contract document that contains a discretionary clause. This does not apply to a contract document in use before that date, but does apply to any such document revised in any respect on or after that date.

(c) On and after the first day of the first month following the effective date of these rules, a discretionary clause issued or delivered to any person in this state in a policy, contract, rider, indorsement, certificate, or similar contract document is void and of no effect. This does not apply to contract documents in use before that date, but does apply to any such document revised in any respect on or after that date.

(d) Nothing in this rule limits the commissioner's authority under section 2236 to disapprove or withdraw approval of any form that contains a discretionary clause.

(e) By the first day of the second month following the effective date of these rules, each insurer transacting insurance in this state shall submit to the commissioner a list of all forms in effect in Michigan that contain discretionary clauses and shall submit a certification that the list is complete and accurate. If an insurer has no such forms in effect, it shall submit a letter to the commissioner reporting and certifying that fact.

ADMINISTRATIVE RULES

SOAHR 2006-027

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

OFFICE OF FINANCIAL AND INSURANCE SERVICES

CREDIT INSURANCE POLICY FORMS – DISCRETIONARY CLAUSES

Filed with the Secretary of State on February 23, 2007

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the commissioner of the Office of Financial and Insurance Services by section 22 of the credit insurance act, 1958 PA 173, 1969 PA 306, E.R.O. No 2000-2, and E.R.O. No 2003-1; MCL 550.622, MCL 24.231 to MCL 24.233, MCL 445.2003, and MCL 445.2011)

8/31/2006

R 550.301 and R 550.302 are added to the Michigan Administrative Code as follows:

R 550.301 Definitions.

Rule 1. As used in these rules:

(a) “Appeal” means an appeal by a policyholder or other claimant of a claim denial by an insurer. It includes appeals to administrative agencies, arbitrators, courts, and mediators.

(b) “Commissioner” means the commissioner of the office of financial and insurance services.

(c) “Discretionary clause” is a provision in a form that purports to bind the claimant to or grant deference in subsequent proceedings to the credit insurer’s decision, denial, or interpretation on terms, coverage, or eligibility for benefits including, but not limited to, a form provision that does any of the following:

(i) Provides that a policyholder or other claimant may not appeal a denial of a claim.

(ii) Provides that the insurer’s decision to deny policy coverage is binding upon a policyholder or other claimant.

(iii) Provides that on appeal the insurer’s decision-making power as to policy coverage is binding.

(iv) Provides that the insurer’s interpretation of the terms of a form is binding upon a policyholder or other claimant.

(v) Provides that on appeal the insurer’s interpretation of the terms of a form is binding.

(vi) Provides that or gives rise to a standard of review on appeal that gives deference to the original claim decision.

(vii) Provides that or gives rise to a standard of review on appeal other than a *de novo* review.

(d) “Form” means a form identified in section 13 of the credit insurance act, 1958 PA 173, MCL 550.613.

(e) Terms defined in the credit insurance act, 1958 PA 173, as amended, MCL 550.601 to MCL 550.624, and R 550.201 to R 550.216 have the same meanings when used in these rules.

R 550.302 Discretionary clauses prohibited.

Rule 2. (a) A discretionary clause is unjust, unfair, inequitable, misleading, deceptive, and encourages misrepresentation of a policy within the meaning of section 13 of the credit insurance act.

(b) On and after the first day of the first month following the effective date of these rules, an insurer shall not issue, advertise, or deliver to any person in this state a policy, contract, rider, indorsement, certificate, or similar contract document that contains a discretionary clause. This does not apply to a contract document in use before that date, but does apply to any such document revised in any respect on or after that date.

(c) On and after the first day of the first month following the effective date of these rules, a discretionary clause issued or delivered to any person in this state in a policy, contract, rider, indorsement, certificate, or similar contract document is void and of no effect. This does not apply to contract documents in use before that date, but does apply to any such document revised in any respect on or after that date.

(d) Nothing in this rule limits the commissioner's authority under sections 13 and 15 of the credit insurance act, 1958 PA 173, MCL 550.613 and MCL 550.615, to disapprove or withdraw approval of any form that contains a discretionary clause.

(e) By the first day of the second month following the effective date of these rules, each insurer transacting insurance in this state shall submit to the commissioner a list of all forms in effect in Michigan that contain discretionary clauses and shall submit a certification that the list is complete and accurate. If an insurer has no such forms in effect, it shall submit a letter to the commissioner reporting and certifying that fact.

ADMINISTRATIVE RULES

SOAHR 2006-037

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

WORKERS' COMPENSATION AGENCY

GENERAL RULES

Filed with the secretary of state on February 21, 2007

These rules become effective 7 days after filing with the secretary of state

(By authority conferred on the director of the workers' compensation agency by section 205 of 1969 PA 317, section 48 of 1969 PA 306, and Executive Reorganization Order Nos. 1996-2, 1999-3, 2002-1, and 2003-1, MCL 418.205, 24.248, 445.2001, 418.3, 445.2004, and 445.2011)

09/28/06

R 408.43a, R 408.43i, R 408.43k, R 408.43m and R 408.43q of the Michigan Administrative Code are amended as follows:

R 408.43a. Employer individual self-insurer; surety bond or letter of credit; consideration of employer in business less than 5 years; excess liability Insurance; required guaranties; claims service companies; self-administered claims.

Rule 13a. (1) A nonpublic self-insurer may be required to furnish a surety bond or letter of credit. The bureau will establish the amount of security at the time of initial application. The bureau shall review the adequacy of security periodically. The bureau shall prescribe the format and language of the bond or letter of credit. The bureau shall accept surety bonds only from a surety writer authorized to transact security bond business in Michigan. A surety bond shall provide for 60 days' notice of cancellation to the bureau. Letters of credit are administered under R 408.43q.

(2) An employer that is in business less than 5 years shall not be considered for self-insured authority unless its workers' disability compensation liability will be guarantied by a parent corporation or combinable affiliated entity that has been in business not less than 5 years and that would qualify for self-insured authority in Michigan.

(3) The bureau shall require specific excess liability insurance, with policy limit and retention acceptable to the bureau, for every self-insured employer, unless the bureau, at its discretion, waives the requirement. The bureau may require aggregate excess liability insurance as a condition of approval for a self-insured employer. Specific and aggregate excess liability insurance policies are accepted under R 408.43k.

(4) Parent corporations shall guaranty all liability incurred by their self-insured subsidiaries under the workers' disability compensation act, unless the bureau, at its discretion, waives the requirement. The bureau shall prescribe the form and substance of the guaranties. The bureau may require employers, combinable under a single self-insured authority, to execute workers' disability compensation payment

guaranties as a condition for approval of the self-insured authority. The bureau shall prescribe the form and substance of the guaranties.

(5) A self-insurer approved under section 418.611(1)(a) of the act shall contract with a claims service company approved by the bureau under R 408.43m. The bureau may approve a self-insurer to self-administer claims if the employer has all necessary systems, processes, and reporting capabilities and can demonstrate it has employed competent claims personnel with Michigan workers' compensation adjusting experience.

R 408.43i. Group self-insurer's fund; board of trustees' power and duties; investment restrictions.

Rule 13i. To ensure the financial stability of each group self-insurers' fund, a board of trustees of each fund shall be responsible for all operations of the fund. A board of trustees shall be a group of members elected by the membership of the fund for stated terms of office. The majority of the trustees shall be owners or employees of members of the self-insurers' fund, but a trustee shall not be an owner, officer, or employee of a service company. The board of trustees of each fund shall take all necessary precautions to safeguard the assets of the fund, including all of the following:

(a) Designate a trustee as administrator or, in the alternative, hire an employee or designate an individual to act as the group fund administrator. The trustees may delegate to the administrator the duties they determine proper. The duties may include, but are not limited to, advising the board with regard to any of the following:

(i) Contracting with a service company.

(ii) Determining the premium charged.

(iii) Investing surplus monies, subject to the restrictions set forth in this rule.

(iv) Accepting applications for membership. However, the board of trustees remains the responsible party for the operation of the fund. The duties delegated to the administrator and all compensation to be paid to the administrator shall be reduced to writing, and a copy shall be provided to the bureau with each annual group renewal application. The group fund administrator shall not be an owner, officer, or employee of a service company. The trustees shall purchase a fidelity policy covering the fund trustees, administrator, employees of the fund, and the service company in an amount sufficient to protect the assets of the fund. A copy of the fidelity policy will be provided to the bureau with each annual renewal.

(b) Limit disbursements to payment and expenses of handling claims and administrative expenses necessary for operating the fund. The board of trustees shall also establish necessary accounts and accounting procedures for control and accurate financial reporting. Established accounting procedures shall provide accurate financial information for each open year individually with respect to revenue and expense until the year is closed out. The board of trustees shall maintain, and be responsible for, all records and documents relating to the formation and ongoing operation of the group self-insurance fund. If the board of trustees does not maintain the records in a responsible manner and in accordance with these rules, then the self-insured approval of the fund may be terminated by the director.

(c) Audit the accounts and records of the fund annually or at any time required by the bureau. Audits shall be made by certified public accountants or by authorized representatives of the bureau. The bureau reserves the right to prescribe the type of audits to be made and the uniform accounting system to be used by the self-insurers' fund to enable the bureau to determine the solvency of the group self-insurers' fund. Copies of financial audits prepared by certified public accountants shall be filed with the bureau in Lansing within 180 days after the close of the fund year. Claim reserve audits used in support of surplus distribution requests shall be performed by auditors who meet the requirements of the bureau relating to independence, report content, and timing.

(d) Not extend credit to individual members for payment of premium.

(e) Apply a penalty rate in excess of the normal premium to any risk that has unfavorable loss experience, if the member and the bureau are notified in writing before the effective date of the change in rates.

(f) Not utilize any of the monies collected as premiums for any purpose unrelated to workers' compensation. Further, the board of trustees shall not borrow any monies from the fund or in the name of the fund without advising the bureau of the nature and purpose of the loan and obtaining bureau approval. The board of trustees may, at its discretion, invest any surplus monies not needed for immediate cash needs, but the investments shall be limited to United States government bonds, United States treasury notes, United States government agency issues, United States government-sponsored enterprises, investment share accounts in any savings and loan association and credit unions that have their deposits insured by a federal agency, and certificates of deposit issued by a duly chartered commercial bank. Deposits in savings and loan associations, credit unions, and commercial banks shall be limited to institutions in this state and shall not exceed the federally insured amount in any 1 account, except that the federally insured amount in any 1 account in a commercial bank may be exceeded if the account amount involved does not exceed either of the following factors:

(i) Five percent of the combination of surplus and undivided profits and reserves as currently reported for each bank in the state in the banking division annual report of the financial institutions bureau of the department of consumer and industry service.

(ii) Five hundred thousand dollars per institution. A group self-insurance fund shall not invest in mutual funds, except that investments in money market mutual funds of short-term duration which invest only in government agency issues, government-sponsored enterprises, and government bills, bonds, and notes will be allowed for short-term cash investment needs. As used in this paragraph, "short-term duration" means 180 days or less.

(g) The board of trustees of a group self-insurance fund, subject to the limitations set forth in subdivisions (h), (i), and (j) of this subrule, may, in its discretion, and upon contracting with a bank trust department or with a professional investment advisor registered with the securities and exchange commission under the investment advisors act of 1940, 15 U.S.C. '80B-3, invest monies not needed for immediate cash needs in corporate bonds and municipal bonds and common and preferred stock.

(h) Limit the combined holdings of corporate and municipal bonds to not more than 45% of the market value of the available investment portfolio. Corporate and municipal bonds must be (A) rated or better by at least two nationally recognized rating services. Not more than 5% of the corporate and municipal bond portfolio may be invested in any 1 corporation or municipality.

(i) Of the 45% of the market value of the investment portfolio available for investment in municipal or corporate bonds, 25% may be invested in common or preferred stocks. Common or preferred stocks shall be limited to publicly owned companies that trade on a United States regulated exchange. Mutual funds or bank pooled funds that invest in common or preferred stocks are permitted and shall be calculated as part of the percentage of market value available for investment in common and preferred stocks.

(j) Ensure that the professional investment advisor completes a compliance review of the investment portfolio on a quarterly basis. A copy of the investment review shall be provided to the fund and the bureau within 30 days of the close of each quarter. The annual financial statements shall be audited by a certified public accountant and shall include a certification as to whether the fund has been in compliance with the requirements for investments. Failure to report on investments as required by this rule may result in withdrawal of the authority to invest in corporate and municipal bonds and/or common and preferred stocks.

(k) Any group fund found to have investments in vehicles other than as provided by this rule shall be given 30 days or a time period approved by the director to divest themselves of the investments. Failure to meet the divestiture requirement may subject the fund to further sanction by the director.

R 408.43k Aggregate excess liability insurance; specific excess liability insurance; individual self-insurer; group self-insurer.

Rule 13k. The bureau shall not recognize a policy of aggregate or specific excess liability insurance in considering the ability of a self-insurer to fulfill its financial obligations under the act, unless the policy is issued by a casualty insurance company authorized, as defined in section 108 of PA 218, MCL 500. to transact such business in this state. The policy shall comply with all of the following provisions unless specifically waived by the bureau. Policies issued that do not comply with all provisions of this rule may be considered grounds for termination of the employer's self-insured authority.

(a) The policy shall not be cancelable or nonrenewable unless written notice, sent by courier, registered mail or certified mail, is given to the other party to the policy and to the bureau not less than 60 days before termination by the party desiring to cancel or not renew the policy.

(b) The policy shall contain no endorsements, provisions, or terms that increase the named insurer or insurers retentions or increase the amount that must be paid by the named insurer or insurers beyond the retentions reported on the declarations page of the policy and the Michigan certificate of specific/aggregate excess liability insurance. This provision does not apply to customary policy language that may call for increased payments by the insurer or insurers for failure to act or abide by a policy provision.

(c) A policy that has any type of commutation clause shall provide that any commutation effected under the policy shall not relieve the casualty insurance company of further liability with respect to claims and expenses unknown at the time of the commutation or in regard to any claim apparently closed at the time of initial commutation that is subsequently reopened by or through a competent authority. If the casualty insurance company proposes to settle its liability for future payments payable as compensation for accidents occurring during the term of the policy by the payment of a lump sum to the employer, to be fixed as provided in the commutation clause of the policy, then the casualty insurance company or the company's agent shall give the bureau not less than 30 days' prior notice of the commutation. Notice shall be by courier, registered mail or certified mail. If any commutation is affected, then the bureau has the right to direct that the sum be placed in trust for the benefit of the injured employee or employees entitled to future payments of compensation.

(d) The policy shall state that if a private self-insured employer becomes insolvent and is unable to make compensation payments and the self-insurers' security fund may have responsibility for making payment under section 537 of the act, then the excess insurance carrier shall make, directly to the claimants or their authorized representatives, payments as would have been made by the excess insurance carrier to the employer after it has been determined that the retention level has been reached on the excess liability insurance policy.

(e) The policy shall state that 100% of the following payments shall be applied toward reaching the retention level in the specific and aggregate excess liability policy:

- (i) Benefit payments made by the employer as required in the act.
- (ii) Benefit payments, as required in the act that are due and owing to claimants of the employer.
- (iii) Benefit payments made on behalf of the employer, as required in the act, by a surety under a bond or through the use of other security required by the director.
- (iv) Payments made by the self-insurers' security fund.
- (v) Usual and customary claims allocated loss adjustment expenses.
- (vi) Payments made, as specified in paragraphs (i), (iii), (iv) and (v) of this subdivision, that are reimbursable by the specific excess liability policy shall not be considered in reaching the aggregate excess liability retention.

(f) The policy shall provide for 100% reimbursement of the following payments that exceed the retention levels as defined in the specific or aggregate excess liability policy:

- (i) Benefit payments made by the employer as required in the act.
- (ii) Benefit payments made on behalf of the employer as required in the act by a surety under a bond or through the use of other security required by the bureau.
- (iii) Payments made by the self-insurers' security fund.
- (iv) Usual and customary claims allocated loss adjustment expenses.
- (g) Reimbursement shall be pro rata if multiple excess insurers insure the same self-insured for the same period. A request to waive a provision of this rule shall be in writing and approved by the bureau before a policy is issued. The carrier shall confirm issuance of an aggregate or specific excess liability policy on a form prescribed by the bureau.

R 408.43m Servicing self-insured employers or groups; application; requirements; noncompliance.

Rule 13m. (1) An individual, partnership, limited liability company, or corporation that desires to engage in the business of providing 1 or more services for an individual self-insurer or a self-insurers' group shall apply to the bureau before entering into a contract with the individual or group self-insurer and shall satisfy the bureau that it has adequate facilities and competent staff with Michigan workers' compensation adjusting experience within the state to service a self-insured program in a manner that fulfills the employers' obligations under the act and the rules of the bureau. Workers' compensation claims of Michigan individual or group self-insured employers shall be handled within the state of Michigan by its staff, except that the director, at his or her discretion, may permit an approved service company to handle the claims of a Michigan individual self-insurer outside of this state upon specific written request by the individual self-insurer and the service company. The request for permission shall set forth documentation sufficient to the agency that claims will be handled pursuant to Michigan law, administrative rules, and agency policy. The director will respond to the request in writing, giving the reasons for denial, or if approved, the conditions of approval. The approval may be withdrawn by the director at any time based upon the failure of the service company and/or employer to comply with the conditions of the approval. Service may include claims adjusting, loss control services, underwriting, and the capacity to provide required reporting. Any individual, partnership, limited liability company, or corporation that provides claims adjusting or loss control services to an approved self-insured employer, where the self-insured employer has designated within its own organization an individual to be responsible to the bureau for its claims program or loss control services, or both, shall not be considered a service company for purposes of this rule.

(2) An applicant shall apply to the bureau for approval to act as a servicing company for self-insured employers or group funds on a form prescribed by the bureau. The application shall contain answers to all questions. An applicant shall give the answers under oath. The bureau shall approve the application prior to the service company entering into a contract with an approved self-insurer. Approval to act as a service company for self-insurers is granted for a period of 1 year and is subject to renewal annually.

(3) If a service company seeks approval to service claims for self-insurers, then it shall submit proof that it has, within its organization at least 1 person who has the knowledge and Michigan workers' compensation adjusting experience necessary to handle claims involving the act. The service company shall attach a resume covering the principal person's background to the application of the service company. The principal individuals adjusting workers' compensation claims shall hold a current workers' disability compensation adjuster's license under chapter 12 of 1956 PA 218, MCL §500.1201.

(4) If a service company seeks approval to provide underwriting service to self-insurers, then it shall submit proof that it has, within its organization or under contract on a full-time basis, at least 1 person who has the knowledge and experience necessary to provide underwriting services for workers' compensation excess liability insurance coverage. The service company shall attach a resume detailing the principal person's background to the application of the service company.

(5) If a service company seeks approval to furnish loss control services to self-insurers, then it shall submit proof that it has, within its organization or under contract on a full-time basis, at least 1 person who has the knowledge and background necessary to adequately provide loss control and health services.

(6) A service company shall maintain adequate staff in the state. The service company shall authorize staff to act for the service company on all matters covered by the act and the rules of the bureau.

(7) A service company shall attach to the application a copy of its standard service agreement that it will enter into with self-insured employers or group funds. The service company shall certify, in writing, that the service agreement is in compliance with the act and these rules. The service company shall certify, and include a provision in its standard service contract which states, that the contract provides for the handling of all claims with dates of injury or disease within the contract until conclusion of the claims, unless the service company is relieved by the bureau, in writing, of the responsibility for handling claims. If the service contract calls for additional fees for any reason, then the service company shall clearly define the additional fees in the contract. For a service company to be relieved of the responsibility of handling claims to conclusion, the client, the previous service company, and the new service company shall sign a claims transfer agreement. The claims transfer agreement shall be completed on a form prescribed by the bureau and shall include a written request made by the previous service company to be relieved of its claims handling responsibilities to the bureau. A requesting company is relieved of its claims handling responsibility only after receiving a written response from the bureau approving a request. The service company shall certify that it will report to the specific excess insurance carrier or aggregate excess insurance carrier, or both, and put the specific excess insurance carrier or aggregate excess insurance carrier, or both, on notice of all claims as required by the self-insurers' or group self-insurers' insurance policies. The standard service contract filed with the bureau for approval and renewal of the service company authority shall include language specifically stating that the service company is responsible for reporting to the excess insurance carrier. The bureau may waive the reporting requirement upon written request to the bureau. Any dispute involving late reporting of excess liability insurance claims and potential penalties shall be reported to the bureau immediately.

(8) A service company shall certify, and provide for in all service contracts, that all documents generated or prepared by the service company for the group or the individual self-insurer or any materials relating to an individual or group self-insurer held by a service company are the property of the individual or group self-insurer and shall be surrendered to the individual or group self-insurer within 10 days of termination of the service contract, subject to written request by the individual or group self-insurer.

(9) Failure to comply with the provisions of the act constitutes good cause for withdrawal of the approval to act as a service company for self-insurers. The bureau shall give 30 days' notice of withdrawal. The bureau shall give the notice by certified or registered mail, upon all interested parties.

R 408.43q Irrevocable letter of credit; acceptance; requirements; payment of surety bond or letter of credit.

Rule 13q. (1) An irrevocable letter of credit may be accepted by the bureau as other security for a self-insured program as provided by section 611(1)(a) of the act. The bureau will retain discretion in each particular case to determine if the letter of credit is acceptable and if its language and format are satisfactory.

(2) Irrevocable letters of credit shall be issued by a state-chartered bank, a federally chartered bank or foreign bank. Funds shall be immediately payable on demand. The director may require confirmation of acceptable letters of credit from any state, federally or foreign chartered bank without state operations or branch services within this state. If a confirmation is required, it shall be by a State of Michigan

chartered bank or federally chartered bank with Michigan branch operations and state that the confirming bank is primarily obligated on the letter of credit.

(3) An employer who elects an irrevocable letter of credit as other security for a self-insured program shall furnish a memorandum of understanding with the letter of credit, on a form provided by the bureau, which affirms the employer's acceptance of all of the following requirements:

(a) A letter of credit is furnished to the bureau instead of a surety bond as one of the requirements for approval of a self-insured program.

(b) The employer understands that the letter of credit shall be deemed automatically extended without amendment for 1 year from the expiry date or any future expiry date unless, 60 days before any expiry date, the bureau is notified, by courier, certified or registered mail, that the letter of credit shall not be renewed for any additional period.

(c) A policy of insurance or a surety bond of equal amount may be furnished at a later date as a substitute for the letter of credit if the policy of insurance or surety bond covers all claims that would have been covered by the letter of credit. All policies of insurance and surety bonds furnished as substitutes for letters of credit are subject to prior bureau approval.

(d) The employer shall affirm that the irrevocable letter of credit in the amount requested by the bureau is being offered with the understanding that if the bureau receives notice that the letter of credit will not be renewed, then the bureau, in its discretion, may, after 30 days from the date of receipt of the notice, call the proceeds of the letter of credit and deposit the proceeds in the state treasury. And further, if, in the judgment of the bureau, the letter of credit is needed to cover any worker's disability compensation claims, then the proceeds of the letter of credit shall be called immediately and deposited in the state treasury for such purpose.

(e) If legal proceedings are initiated by any party with respect to payment of any letter of credit, then the proceedings shall be subject to Michigan courts and law.

(4) The bureau shall not grant an effective date for a self-insured program until a completed letter of credit and the memorandum of understanding have been reviewed and accepted by the bureau.

(5) If it is necessary for the director, under statute and bureau rules, to call the bond or other security, then a trust shall be established with the funds, unless the provider of the bond or other security elects to handle the claims directly and the bureau approves. If a trust is established, the funds shall be deposited in the state treasury and the state treasurer, as provided by section 551(7) of the act, shall be the custodian of the trust. The trustees of the trust shall be the trustees of the funds denominated in chapter 5 of the act and also those who are appointed as trustees under section 511 of the act. The service company of the self-insured employer, if any, shall continue to perform in accordance with the terms of the employer's contract with the service company.

ADMINISTRATIVE RULES

SOAHR 2006-049

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

WORKER'S COMPENSATION BOARD OF MAGISTRATES

GENERAL RULES

Filed with the Secretary of State on February 21, 2007

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of labor and economic growth by section 213 of 1969 PA 317, and Executive Reorganization Orders No.1996-2, 2002-1, and 2003-1, MCL 418.213, MCL 445.2001, MCL 445.2004, MCL 445.2011 of the Michigan Compiled Laws)

8/10/2006

R 418.56 of the Michigan Administrative Code is amended as follows:

R 418.56 Subpoena; provision to opposing party; submittal of subpoenaed records; disputes.

Rule 6. (1) A subpoena shall be on an agency approved form and include all of the following:

(a) The party requesting a subpoena shall certify that the matter about which the subpoena is requested is pending before the agency.

(b) A subpoena shall be fully completed before submission to a magistrate for signing.

(c) The return date indicated on the subpoena shall provide a reasonable time for compliance.

(d) Magistrates may sign a subpoena for a case that is assigned to another magistrate.

(2) A copy of a subpoena issued by a magistrate in accordance with MCL 418.853 shall be provided to all parties, or their legal counsel, at the time of issuance.

(3) The party for whom a subpoena is issued shall immediately do 1 of the following:

(a) Provide a complete copy of the records to all parties when received.

(b) Make the records reasonably available for copying when received.

(4) All subpoenaed records shall be returned directly to the party requesting the records.

(5) Only those records admitted into evidence by a magistrate at a hearing shall be placed in the agency file or maintained by the agency.

(6) Any dispute arising under this rule shall be brought by motion before the assigned magistrate and shall have a copy of the subpoena attached. A copy of the motion and the subpoena shall be served on all parties, or their counsel, and proof of service filed with the agency.

**PROPOSED ADMINISTRATIVE RULES,
NOTICES OF PUBLIC HEARINGS**

MCL 24.242(3) states in part:

“... the agency shall submit a copy of the notice of public hearing to the State Office of Administrative Hearings and Rules for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the State Office of Administrative Hearings and Rules.”

MCL 24.208 states in part:

“Sec. 8. (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.”

PROPOSED ADMINISTRATIVE RULES

SOAHR 2005-039

DEPARTMENT OF COMMUNITY HEALTH

HEALTH PROGRAMS ADMINISTRATION - BUREAU OF CHILDREN AND FAMILY
PROGRAMS

DETERMINATION OF DEATHS OF CHILDREN

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the Michigan Department of Community Health by section 52.205a of 2004 PA 179, section 8 of 1978 PA 312, sections 2226 and 5111 of 1978 PA 368, and Executive Reorganization Order Nos. 1996-1 and 1997-4, MCL 52.205a, 325.78, 333.2226(d), 333.5111, 330.3101, and 333.26324)

Draft October 24, 2005

R 330.1, R 330.2, R 330.3, and R 330.4 are added to the Michigan Administrative Code as follows:

R 330.1 Definitions.

Rule 1. (1) As used in these rules:

(a) "County medical examiner" means the physician appointed by the board of commissioners in a county, responsible for investigating the cause and manner of deaths of individuals, in accordance with MCL 52.201 and 52.202.

(b) "Deputy county medical examiner" means the physician appointed by the board of commissioners in a county, and approved by the County Medical Examiner, responsible for investigating the cause and manner of deaths of individuals, in accordance with MCL 52.201 and 52.202.

(c) "Investigation of a death" means any of the following: gross external examination of the body, autopsy, toxicology, review of medical history, review of incident scene information, interviews with survivors and witnesses.

(d) "Manner" means how the cause of death arose and is classified on the death certificate. Natural deaths are caused exclusively by disease. If an injury, such as mechanical, chemical, electrical causes or contributes to death, then the death is classified on the death certificate as non-natural and is subclassified as accident, homicide, suicide or not determinable.

(e) "Cause of Death" means the actual disease, injury or complications that directly resulted in the death of an individual.

(f) "State of Michigan protocols to determine cause and manner of sudden and unexplained child deaths" means the state of Michigan's standard of investigation for determination of cause and manner of deaths of children under age two, when circumstances are sudden and unexplained. The protocol

includes three components: the Incident Death Scene Investigation Guidelines, the Child Autopsy Checklist, and the Child's Medical History Case Review.

(g) "Incident death scene" means the location where the child was first found unresponsive, not breathing, or obviously dead.

(h) "SIDS" or "sudden infant death syndrome" means a cause of death defined as the sudden death of an infant under 1 year of age which remains unexplained after a thorough case investigation, including performance of a complete autopsy, examination of the death scene, and review of the clinical history.

R 330.2 Child death scene investigation protocol.

Rule 2. Before making a cause and manner determination on the death certificate of deaths of children under age 2, when the circumstances in these deaths are sudden and unexplained, the county medical examiner or deputy county medical examiner shall ensure that an incident death scene investigation, autopsy, and the medical history case review are completed, in accordance with the "2006 State of Michigan Protocols to Determine Cause and Manner of Sudden and Unexplained Child Deaths," which can be obtained at no cost from the Michigan Department of Community Health, Division of Family and Community Health, 109 West Michigan Avenue, Lansing, Michigan, 48913, or from the Michigan Public Health Institute, Child and Adolescent Health Program, at 2438 Woodlake Circle, Suite 240, Okemos, Michigan, 48864. These protocols may also be obtained on the internet at www.keepingkidsalive.org.

R 330.3 Approval of alternate protocol.

Rule 3. A county medical examiner or deputy county medical examiner may utilize an alternate protocol for all cases within a county to determine cause and manner of sudden and unexplained deaths of children under age 2. An alternate protocol used by a county jurisdiction shall be approved by the department of community health before utilization.

R 330.4 SIDS as cause of death.

Rule 4. A county medical examiner or deputy county medical examiner shall not declare cause of death as SIDS (Sudden Infant Death Syndrome) unless an autopsy, incident death scene investigation, and review of child's medical history are completed.

NOTICE OF PUBLIC HEARING

SOAHR 2005-039

NOTICE OF PUBLIC HEARING
Determination of Deaths of Children

The Department of Community Health will hold a public hearing on Thursday, April 26, 2007, at 9:00 a.m. at the Department of Community Health, 201 Townsend, 1st Floor, Conference Center Rooms B & C, Lansing, Michigan.

The public hearing is being held to receive comments from interested persons on a new administrative rule regarding the determination of deaths of children. The proposed rule requires county medical examiners and deputy county medical examiners to determine the cause of child death of children under two years of age in accordance with the State of Michigan Protocols to Determine Cause and Manner of Sudden and Unexplained Child Deaths. PA 179 of 2004 amends Section 5a of that act to empower deputy county medical examiners with the same powers as county medical examiners in regard to autopsies in cases of sudden infant death and other instances where a child under two years of age is found dead without a known cause, and requires the Department of Community Health to promulgate rules to promote consistency and accuracy among county and deputy county medical examiners in determining the cause of death in these instances.

These rules are being promulgated under the authority conferred on the department of community health by sections 52.205a of 2004 PA 179, section 8 of 1978 PA 312, sections 2226 and 5111 of 1978 PA 368, and Executive Reorganization Order Nos. 1996-1 and 1997-4, MCL 52.205a, 325.78, 333.2226(d), 333.5111, 330.3101, and 333.26324. These rules are proposed to take immediate effect upon filing with the Secretary of State.

Hearing comments may be presented in person, with written comments available at the time of presentation. Written comments also will be accepted at the following address or E-mail address until close of business April 26, 2007. Address communications to:

Department of Community Health
Office of Legal Affairs
201 Townsend
Lansing, MI 48913
Attention: Mary Greco, Legal Affairs Coordinator
E-mail address: grecom@michigan.gov

A copy of the proposed rules may be obtained by contacting the address noted above.

All hearings are conducted in compliance with the 1990 Americans with Disabilities Act. Hearings are held in buildings that accommodate mobility-impaired individuals and accessible parking is available. A disabled individual who requires accommodations for effective participation in a hearing should call Nita Hixson at (517) 335-1341 to make the necessary arrangements. To ensure availability of the accommodation, please call at least 1 week in advance.

**ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2006 SESSION)**

Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”

**ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2006 SESSION)**

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
1	4718		Yes	2/2	2/3	2/3/2006 #	Highways; name; portion of M-54 in Genesee county; rename the "Marine Corps League Memorial Highway", and a portion of M-54 in part of Genesee county rename "UAW Sitdown Strike Memorial Highway". (Rep. J. Gleason)
2		624	Yes	2/2	2/3	2/3/2006 #	Highways; name; renaming a portion of US-24; designate as the "10th Mountain Division", and a portion of M-3 as the "Ronald W. Reagan Memorial Highway". (Sen. L. Toy)
3	5039		Yes	2/2	2/3	2/3/06	Counties; other; medical examiner; revise appointment procedures. (Rep. T. Casperson)
4		956	Yes	2/3	2/3	2/3/06 +	Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2005-2006. (Sen. T. Stamas)
5	4244		Yes	2/3	2/3	2/3/06	Taxation; administration; right to an informal conference; clarify. (Rep. S. Hummel)
6	5356		Yes	2/3	2/3	10/1/06	Taxation; administration; requirement for auditors to identify refund opportunities; provide for. (Rep. L. Wenke)
7	5357		Yes	2/3	2/3	10/1/06	Taxation; administration; right to claim credit amounts as an offset against debt amounts in an audit; provide for. (Rep. T. Meyer)

* - I.E. means Legislature voted to give the Act immediate effect.

** - Act takes effect on the 91st day after *sine die* adjournment of the Legislature.

*** - See Act for applicable effective date.

+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
8	5358		Yes	2/3	2/3	10/1/06	Taxation; administration; procedure to challenge audit determinations that result in a refund; provide for. (Rep. L. Wenke)
9	5359		Yes	2/3	2/3	10/1/06	Taxation; administration; procedure to allow a taxpayer who is in informal conference to convert an assessment challenge to a claim for refund; provide for. (Rep. J. Emmons)
10	5360		Yes	2/3	2/3	10/1/06	Taxation; administration; informal conference; provide procedures for informal conference to be considered denied. (Rep. R. Jones)
11	5361		Yes	2/3	2/3	10/1/06	Taxation; administration; filing period for informal conference; extend. (Rep. J. Marleau)
12	5362		Yes	2/3	2/3	2/3/06	Taxation; administration; taxpayer right to rely on bulletins and private letter rulings from department of treasury; provide for. (Rep. L. Drolet)
13	5364		Yes	2/3	2/3	2/3/06	Property tax; appeals; clerical error and mutual mistake of fact; revise application and definition. (Rep. K. Green)
14		788	Yes	2/9	2/9	2/9/06	Agriculture; equipment; lights for certain farm equipment; require. (Sen. R. Jelinek)
15		366	Yes	2/9	2/9	2/9/06	Recreation; state parks; posting at park entrances whether or not hunting or firearm usage is allowed within the state park; require. (Sen. V. Garcia)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
16	5281		Yes	2/9	2/9	2/9/06	Drains; other; representation of communities on certain intercounty drainage boards; provide for. (Rep. E. Gaffney)
17	4855		Yes	2/9	2/9	2/9/06	Sales tax; exemptions; parts installed on non-Michigan-based or foreign registered aircraft; provide for, and exempt the sale of certain aircraft located in Michigan temporarily. (Rep. M. Nofs)
18	4856		Yes	2/9	2/9	2/9/06	Use tax; exemptions; parts installed on non-Michigan-based or foreign registered aircraft; provide for, and exempt the sale of certain aircraft located in Michigan temporarily. (Rep. L. Wenke)
19	5104		Yes	2/9	2/9	11/9/06	Traffic control; speed restrictions; speed limits for trucks; increase maximum speed limit for certain trucks to 60 miles per hour on certain freeways. (Rep. B. Caswell)
20		736	Yes	2/9	2/9	2/9/06	Corrections; jails; expense of inmate medical care; require sheriff to draw on inmate's health care policy before county is charged. (Sen. M. Goschka)
21	5559		Yes	2/14	2/14	2/14/06 #	Economic development; Michigan economic growth authority; definition of facility; modify. (Rep. S. Hummel)

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22		579	Yes	2/14	2/14	2/14/06 #	Economic development; plant rehabilitation; filing date of an application for an industrial facilities exemption; revise. (Sen. J. Gilbert)
23		310	Yes	2/16	2/16	2/16/06	Recreation; other; health clubs; require automatic external defibrillators and plans to address medical emergencies. (Sen. G. Jacobs)
24	4670		Yes	2/16	2/16	2/16/06	Occupations; physicians; special volunteer license for retired physicians; provide for. (Rep. G. Newell)
25	5375		Yes	2/16	2/16	2/16/06 #	Torts; immunity; retired physicians providing volunteer health care for medically indigent individuals; provide immunity for. (Rep. G. Newell)
26	5168		Yes	2/16	2/17	2/17/06 #	Health; occupations; criminal history check on applicants seeking a health professional license; require and provide for under certain circumstances. (Rep. P. Zelenko)
27	5448		Yes	2/16	2/17	2/17/06 #	Mental health; other; background check before employing, contracting with, or granting clinical privileges to certain individuals; require. (Rep. B. Vander Veen)
28		621	Yes	2/16	2/17	2/17/06 #	Health facilities; other; criminal background check for employees of certain health care facilities; revise. (Sen. P. Birkholz)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
29		622	Yes	2/16	2/17	4/1/06 #	Human services; adult foster care; criminal background check for employees of adult foster care facilities; revise and eliminate grandfather provision. (Sen. T. Stamas)
30		351	Yes	2/22	2/23	7/1/06	Health; occupations; registration of acupuncturists; provide for. (Sen. B. Hammerstrom)
31		794	Yes	2/22	2/23	2/23/06	Health; testing; creation of a newborn screening quality assurance advisory committee and reporting of infant hearing testing and screening under certain circumstances; provide for. (Sen. T. George)
32	5471		Yes	2/22	2/23	2/23/06	Economic development; other; economic opportunity zone in brownfield redevelopment financing act; create. (Rep. D. Hildenbrand)
33		850	Yes	2/22	2/28	2/28/06 #	Water; conservation; regulation of water withdrawals; provide for. (Sen. P. Birkholz)
34		851	Yes	2/22	2/28	2/28/06 #	Water; conservation; groundwater conservation advisory council; expand membership and make recommendations on the development of a water withdrawal assessment tool. (Sen. B. Patterson)
35		852	Yes	2/22	2/28	2/28/06 #	Water; conservation; water withdrawal registration and reporting requirements; modify. (Sen. G. Van Woerkom)
36		854	Yes	2/22	2/28	2/28/06 #	Water; conservation; water users committees; provide to assess impacts of water withdrawals. (Sen. R. Basham)

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37		857	Yes	2/22	2/28	2/28/06 #	Water; conservation; certain public water supply systems; consider impacts on natural resources. (Sen. L. Brater)
38	4606		Yes	3/2	3/2	3/2/06	Health; medical records; health facilities' compliance with HIPAA regulations regarding the release of certain personal health information; provide for. (Rep. S. Adamini)
39	4544		Yes	3/2	3/2	5/31/06	Vehicles; equipment; provisions regarding possession by certain individuals, and use during commission of a crime, of a radio receiving set capable of receiving signals sent on frequencies assigned to police and other government agencies; prohibit and provide penalties. (Rep. K. Elsenheimer)
40	4727		Yes	3/2	3/2	3/2/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of using certain radio receiving sets capable of receiving signals sent on frequencies assigned to police and other government agencies to commit crime; enact. (Rep. K. Elsenheimer)
41	5247		Yes	3/2	3/2	3/2/06	Occupations; health care professions; physician, physician's assistant, or certified nurse practitioner to conduct physical examination and certify a medical statement for preplacement assessments for adoptions; allow. (Rep. B. Vander Veen)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
42	5498		Yes	3/2	3/2	3/2/06	Gaming; horse racing; money in the Michigan agriculture equine industry development fund; provide for payment into the general fund. (Rep. C. Kolb)
43		561	Yes	3/2	3/2	3/2/06	Torts; immunity; "Good Samaritan" law provisions relating to national ski patrol system; revise. (Sen. M. McManus)
44		751	Yes	3/2	3/2	3/2/06	Businesses; associations; corporations formed by summer resort owners; clarify majority vote requirement for member approval. (Sen. J. Allen)
45		658	Yes	3/2	3/2	3/2/06	Businesses; associations; summer resort and assembly associations act; expand amount of land allowed. (Sen. J. Allen)
46		128	Yes	3/2	3/2	1/1/07	Criminal procedure; sex offender registration; notification by e-mail to certain individuals when a registered sex offender relocates into or within a certain proximity of a zip code; require. (Sen. A. Sanborn)
47	5321		Yes	3/9	3/9	3/9/06	Businesses; business corporations; delivery of notices and other communications to shareholders who share a common address; allow delivery of single copy to common address. (Rep. J. Emmons)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
48	5331		Yes	3/9	3/9	3/9/06	Occupations; health care professions; certified nurse practitioners and physicians' assistants to authorize administration of medications in schools; provide for. (Rep. R. Ball)
49	5245		Yes	3/9	3/9	3/9/06	Occupations; health care professions; licensed physician's assistant and certified nurse practitioner to perform court ordered physical examinations; allow. (Rep. D. Robertson)
50	5248		Yes	3/9	3/9	3/9/06	Occupations; health care professions; required medical examiner's certificate to operate a commercial motor vehicle; clarify medical examiner includes a physician's assistant and a certified nurse practitioner. (Rep. L. Wojno)
51	5398		Yes	3/9	3/9	3/9/06	Human services; foster parents; medical statement required for licensure or certification as foster parents; authorize physician or certified nurse practitioner to complete. (Rep. K. Green)
52		569	Yes	3/9	3/9	3/9/06	Income tax; credit; population requirement for historic preservation tax credit; eliminate. (Sen. J. Allen)
53		570	Yes	3/9	3/9	3/9/06	Single business tax; credit; population requirement for historic preservation tax credit; eliminate. (Sen. J. Allen)

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54	4893		Yes	3/9	3/9	12/1/06	Occupations; athletics; licensure of athletic trainers; provide for. (Rep. E. Gaffney)
55	5624		Yes	3/9	3/9	3/9/06	Insurance; other; valuing of assets of domestic insurers; provide for. (Rep. J. Hune)
56		783	Yes	3/9	3/13	3/13/06 #	Environmental protection; solid waste; foreign waste; require return to country of origin if illegally disposed of in Michigan. (Sen. M. Bishop)
57	5176		Yes	3/9	3/13	3/13/06	Environmental protection; solid waste; foreign municipal solid waste; prohibit disposal of. (Rep. D. Acciavatti)
58	5177		Yes	3/9	3/13	3/13/06 #	Environmental protection; solid waste; foreign municipal solid waste; provide penalty for violation of disposal prohibition. (Rep. P. Pavlov)
59	5178		Yes	3/9	3/13	3/13/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of importing solid waste from a foreign country; enact. (Rep. D. Palsrok)
60		1024	Yes	3/16	3/20	6/1/06 #	Crimes; other; willfully and maliciously damaging, destroying, or preventing access to electronic medium of communication; prohibit and provide penalties. (Sen. B. Hardiman)

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61	5043		Yes	3/16	3/20	6/1/06	Crimes; malicious destruction; unlawfully damaging, destroying, using, or obstructing use of electronic medium of communication; prohibit and provide a penalty. (Rep. T. Schuitmaker)
62	5044		Yes	3/16	3/20	6/1/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of unlawfully damaging, destroying, using, or obstructing use of electronic medium of communication; enact. (Rep. T. Schuitmaker)
63	5316		Yes	3/16	3/20	3/20/06	Businesses; business corporations; provision providing for dissolution by court judgment; make technical amendments. (Rep. L. Wenke)
64	5317		Yes	3/16	3/20	3/20/06	Businesses; business corporations; certain amendments to articles of incorporation; require to be initiated by the board of directors. (Rep. W. Huizenga)
65	5318		Yes	3/16	3/20	3/20/06	Businesses; business corporations; creation of subcommittees of board committees; authorize. (Rep. L. Mortimer)
66	5319		Yes	3/16	3/20	3/20/06 #	Businesses; business corporations; voting by shareholders; clarify that abstaining from voting is not considered a vote. (Rep. T. Schuitmaker)

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67	5320		Yes	3/16	3/20	3/20/06 #	Businesses; business corporations; voting as a class or series; clarify that abstaining from voting is not considered a vote. (Rep. K. Elsenheimer)
68	5323		Yes	3/16	3/20	3/20/06	Businesses; business corporations; definition of willfully unfair and oppressive conduct by corporations; revise and clarify guarantee powers. (Rep. S. Tobocman)
69		839	Yes	3/16	3/20	3/20/06	Sales tax; collections; disposition of money collected; revise. (Sen. R. Emerson)
70		052	Yes	3/16	3/20	3/20/06	Economic development; other; renovations and additions; allow to qualify for tax credit. (Sen. J. Barcia)
71		1005	Yes	3/16	3/20	3/20/06	State; bonds; interest rate on certain loans; modify. (Sen. R. Jelinek)
72	5315		Yes	3/16	3/20	3/20/06	Businesses; business corporations; obligations of foreign corporations in mergers or share exchanges; revise. (Rep. J. Marleau)
73		795	Yes	3/16	3/20	3/20/06	Records; other; procedure for transmission of microfilm or electronic copies of vital records by state registrar to facilitate genealogical research; establish. (Sen. T. George)
74		960	Yes	3/16	3/20	3/20/06	Communications; telecommunications; transfer of funds from the CMRS emergency telephone fund to the general fund; provide for. (Sen. M. Switalski)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
75	4642		Yes	3/16	3/23	7/1/06	Weapons; other; licensed spouse to carry or transport another licensed spouse's inspected pistol; allow. (Rep. R. Jones)
76		959	Yes	3/23	3/24	3/24/06	State; funds; transfer of funds from the state survey and remonumentation fund to the general fund; provide for. (Sen. M. Switalski)
77	4446		Yes	3/23	3/24	3/24/06	Health; abortion; provision offering patients the opportunity to view the active ultrasound image of, and to have a picture of the ultrasound image of, the fetus prior to performing an abortion; require. (Rep. D. Robertson)
78		120	Yes	3/23	3/24	3/24/06	Criminal procedure; evidence; certain prior acts of domestic violence; allow to be admissible as evidence. (Sen. S. Johnson)
79		263	Yes	3/23	3/24	3/24/06	Crime victims; statements; hearsay rule; exempt certain statements of domestic violence victims. (Sen. B. Hammerstrom)
80	5258		Yes	3/23	3/24	3/24/06	Labor; job development; community action agency boards; eliminate conflict with departmental rules. (Rep. B. Caul)
81		318	Yes	3/28	3/28	3/28/06	Labor; hours and wages; minimum wage; increase. (Sen. R. Basham)
82	4555		Yes	3/29	3/29	3/29/06	Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for. (Rep. T. Pearce)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
83		779	Yes	3/29	3/29	3/29/06	Traffic control; traffic regulation; sunset date for weight restrictions on certain highways or roads; remove. (Sen. J. Gilbert)
84	5675		Yes	3/31	3/31	3/31/06	Education; employees; reports concerning certain convictions; clarify disclosure under freedom of information act and require measures to ensure accuracy. (Rep. R. Baxter)
85	5240		Yes	4/2	4/3	11/9/06 #	Traffic control; speed restrictions; establishment of speed limits; revise procedure and limits. (Rep. B. Palmer)
86	5241		Yes	4/2	4/3	4/3/06 #	Traffic control; speed restrictions; speed restriction amendments to Michigan vehicle code; amend pupil transportation act to reflect. (Rep. B. Palmer)
87		462	No	4/2	4/3	**	Elections; candidates; filing deadline for write-in candidates; revise to the second Friday before the election. (Sen. M. Switalski)
88		208	Yes	4/2	4/3	4/3/06	Corrections; jails; reimbursement to municipalities for costs of housing inmates; provide for. (Sen. L. Toy)
89		477	Yes	4/2	4/3	4/3/06	Campaign finance; statements and reports; electronic filing advisory board; eliminate. (Sen. J. Allen)

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90		866	Yes	4/2	4/4	4/4/06	Education; financing; procedure to consolidate special education pupil transportation services; clarify. (Sen. J. Gilbert)
91		728	Yes	4/4	4/4	4/4/06	Health; immunizations; reference to childhood immunization registry and automatic deletion of information upon child reaching the age of 20; revise to "Michigan care improvement registry" and eliminate automatic deletion. (Sen. B. Hardiman)
92	4643		Yes	4/4	4/4	7/1/06	Weapons; licensing; issuance of concealed pistol license renewal; require within certain period of time. (Rep. R. Jones)
93		371	Yes	4/2	4/4	4/4/06	Economic development; renaissance zones; tool and die recovery zone; include industrial pattern manufacturing in definition. (Sen. A. Sanborn)
94	5282		Yes	4/2	4/4	4/4/06	Education; students; career and technical preparation act; eliminate sunset. (Rep. L. Wenke)
95	4838		Yes	4/2	4/4	4/4/06	Higher education; other; higher education institutional data inventory; establish. (Rep. L. Wenke)
96		764	Yes	4/2	4/4	4/4/06	Veterans; other; "Purple Heart Monument" to honor citizens of Michigan receiving the award; create. (Sen. J. Allen)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
97		506	Yes	4/2	4/4	4/4/06	Water; quality; open water disposal of contaminated dredge materials into the waters of the state; prohibit. (Sen. D. Olshove)
98	5620		Yes	4/2	4/4	4/4/06	Veterans; other; veterans memorial park; expand boundaries. (Rep. J. Garfield)
99		883	Yes	4/2	4/6	4/6/06	Courts; judges; number of judgeships in the seventeenth judicial circuit; increase. (Sen. B. Hardiman)
100		907	Yes	4/2	4/6	4/6/06	Courts; judges; number of judgeships in various circuits; revise. (Sen. A. Cropsey)
101		925	Yes	4/2	4/6	4/6/06	Courts; circuit court; sixteenth judicial circuit; allow additional judgeship. (Sen. A. Sanborn)
102		955	Yes	4/2	4/6	4/6/06	Courts; circuit court; additional circuit judgeship in the fifty-fifth judicial circuit; provide for. (Sen. T. Stamas)
103		946	Yes	4/2	4/6	4/6/06	Courts; circuit court; additional judgeship in the sixth judicial circuit; provide for. (Sen. M. Bishop)
104	5508		Yes	4/2	4/6	4/6/06	Transportation; motor fuel tax; motor fuels quality act; revise. (Rep. P. Pavlov)
105	4161		Yes	4/7	4/7	4/7/06	Family law; child custody; provisions regarding presumption of custody and notice in acknowledgment of parentage act; modify. (Rep. J. Pastor)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
106	5256		Yes	4/7	4/7	4/7/06	Insurance; property and casualty; refusal to renew malpractice insurance policy; provide parameters for. (Rep. J. Proos)
107	5494		Yes	4/7	4/7	8/15/06 #	Transportation; school vehicles; pupil transportation act; modify. (Rep. P. Pavlov)
108		932	Yes	4/7	4/7	8/15/06 #	Transportation; school vehicles; pupil transportation act; modify. (Sen. J. Allen)
109	5497		Yes	4/7	4/7	4/7/06	Insurance;; continuing education credit requirement for limited line credit insurance; eliminate. (Rep. J. Hune)
110	4398		Yes	4/7	4/10	7/1/06	Cities; other; city and village zoning; codify. (Rep. K. Elsenheimer)
111	4733		Yes	4/7	4/10	4/10/06 #	Single business tax; credit; tax credits for certain projects; provide criteria. (Rep. R. Baxter)
112	4734		Yes	4/7	4/10	4/10/06 #	Single business tax; credit; qualification for certain projects; provide for. (Rep. K. Elsenheimer)
113		599	No	4/7	4/10	** #	Single business tax; credit; assignment of certain brownfield credits; provide for. (Sen. T. George)
114		859	Yes	4/7	4/10	4/10/06	Property tax; principal residence exemption; principal residence exemption for revocable trust of certain individuals; revise. (Sen. N. Cassis)
115		969	Yes	4/7	4/10	4/10/06	Property; conveyances; conveyance of certain property interest to Lansing community college and sale, conveyance, or exchange of certain property in Jackson county; allow. (Sen. S. Johnson)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
116		922	Yes	4/11	4/11	4/11/06 #	Economic development; renaissance zones; eligibility; designation of an additional renaissance zone. (Sen. R. Jelinek)
117	5640		Yes	4/11	4/11	4/11/06 #	Economic development; Michigan economic growth authority; "rural business" definition and certain conditions; modify. (Rep. T. Casperson)
118		327	Yes	4/14	4/14	4/14/06	Education; teachers; requirements to teach reading; revise. (Sen. N. Cassis)
119		328	Yes	4/14	4/14	4/14/06	School aid; categoricals; certain funds to be allocated to early intervention programs; allow. (Sen. B. Hardiman)
120		329	Yes	4/14	4/14	4/14/06	School aid; categoricals; grant program for early intervention programs; establish and allow certain funds for small class size to be used for early intervention programs. (Sen. N. Cassis)
121		330	Yes	4/14	4/14	4/14/06	School aid; categoricals; percentage of at-risk funds; require to be used for early intervention program in districts with a learning-disabled population above state average. (Sen. W. Kuipers)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
122	5813		Yes	4/14	4/14	4/14/06	Elections; candidates; nominating petition filing deadline for village elections; include as twelfth Tuesday before general November election. (Rep. C. Ward)
123	5606		Yes	4/20	4/20	4/20/06 #	Education; graduation requirements; certain curriculum requirements for high school graduation; prescribe and require for state accreditation. (Rep. B. Palmer)
124		1124	Yes	4/20	4/20	4/20/06 #	Education; curricula; required high school curriculum; provide for. (Sen. W. Kuipers)
125	4502		Yes	5/2	5/2	5/2/06	Agriculture; weights and measures; administrative fines, civil fines, and criminal penalties; increase. (Rep. F. Amos)
126	5199		Yes	5/2	5/2	5/2/06	Highways; name; "Philip A. Hart Memorial Highway"; expand. (Rep. P. LaJoy)
127	5643		Yes	5/2	5/2	5/2/06	Corrections; jails; time for filing civil action for reimbursement by inmates to the county for cost of imprisonment and care; extend. (Rep. B. Caul)
128	5490		Yes	5/5	5/5	5/5/06	Criminal procedure; forfeiture; deposit of forfeiture funds in a local financial institution; allow and clarify interest earned remains with forfeiture funds. (Rep. D. Law)

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129	5823		Yes	5/5	5/5	5/5/06	Crimes; penal code revision; deposit of forfeiture funds in a local financial institution; allow and clarify interest earned remains with forfeiture funds. (Rep. W. Van Regenmorter)
130	5824		Yes	5/5	5/5	5/5/06	Controlled substances; forfeiture of property; deposit of forfeiture funds in a local financial institution; allow and clarify interest earned remains with forfeiture funds. (Rep. D. Law)
131	5627		Yes	5/5	5/5	5/5/06	Liquor; licenses; certain premises where attendees consume or possess alcohol on premises for consideration; clarify licensure requirement. (Rep. T. Rocca)
132		777	Yes	5/5	5/5	5/5/06	Agriculture; other; seeds; preempt regulation of by local ordinance. (Sen. G. Van Woerkom)
133	4423		Yes	5/10	5/12	5/12/06	Consumer protection; home solicitation sales; telemarketers; prohibit leaving certain messages requesting consumers to return call. (Rep. L. Wojno)
134	4976		Yes	5/10	5/12	5/12/06	Financial institutions; generally; commissioner's authority over emergency closure of financial institutions; revise. (Rep. J. Mayes)
135	5154		Yes	5/10	5/12	5/12/06	Aeronautics; airports; distribution of parking funds; provide clarification. (Rep. B. Palmer)

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136		1035	Yes	5/10	5/12	5/12/06	Vehicles; registration; definition of wood harvester; amend to include person hauling or transporting wood harvesting equipment. (Sen. M. Prusi)
137	5336		Yes	5/10	5/12	5/12/06	State agencies (existing); community health; health information technology commission; create. (Rep. G. Newell)
138	5811		Yes	5/10	5/12	5/12/06	Consumer protection; home solicitation sales; requirement for written agreement and cancellation notice; exempt certain energy suppliers and utilities. (Rep. W. Huizenga)
139		1132	Yes	5/22	5/22	5/22/06 #	Transportation; funds; local match accelerated construction program; create. (Sen. M. Prusi)
140		1192	Yes	5/22	5/22	5/22/06 #	Transportation; funds; local match construction program; create. (Sen. J. Gilbert)
141	6003		Yes	5/22	5/22	5/22/06 #	Transportation; funds; accelerated road bonds; modify. (Rep. T. Casperson)
142	5045		Yes	5/21	5/22	5/22/06	Mobile homes; title; references to the assignment of title on the reverse side of a mobile home certificate of title; eliminate. (Rep. T. Schuitmaker)
143	5313		Yes	5/21	5/22	5/22/06	Property tax; appeals; board of review; allow township board to appoint alternate members. (Rep. H. Walker)

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144		838	Yes	5/22	5/22	5/22/06	Human services; medical services; enrollment and benefits; limit for certain individuals. (Sen. R. Emerson)
145	5144		Yes	5/21	5/22	5/22/06	Natural resources; hunting; commemorative bucks of Michigan, inc.; designate as the official record keeper of Michigan big game records. (Rep. R. Ball)
146	5554		Yes	5/21	5/22	5/22/06	Environmental protection; other; designation of a school as a "green school"; establish criteria. (Rep. J. Hune)
147	4171		Yes	5/21	5/22	7/1/06	Civil procedure; remedies; award of damages for repairs made to leased premises by landlord or tenant; allow. (Rep. J. Pastor)
148	5887		Yes	5/23	5/24	8/22/06 #	Crimes; disorderly conduct; penalties for disorderly conduct at funerals; increase. (Rep. J. Emmons)
149	5888		Yes	5/23	5/24	8/22/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for disorderly conduct at funerals; enact. (Rep. J. Gleason)
150		1171	Yes	5/23	5/24	8/22/06 #	Crimes; disorderly conduct; penalties for disorderly conduct at a funeral; provide for. (Sen. R. Basham)
151		1229	Yes	5/23	5/24	8/22/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for disorderly conduct at funerals; enact. (Sen. L. Toy)

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152		1199	Yes	5/23	5/24	5/24/06	Local government; other; issuance of permit to protest outside of any funeral home, cemetery, or location in which a funeral service or memorial is held; provide for. (Sen. J. Gilbert)
153		242	Yes	5/25	5/25	5/25/06 +	Appropriations; supplemental; supplemental appropriations; provide for fiscal years ending 2005 and 2006. (Sen. S. Johnson)
154		872	No	5/25	5/26	***	Local government; budgets; adoption of budgets process; revise. (Sen. W. Kuipers)
155		908	Yes	5/25	5/26	5/26/06	Occupations; notaries public; notary public indicating county within where he or she is acting; provide for and clarify requirement. (Sen. B. Hammerstrom)
156	5748		Yes	5/25	5/26	8/24/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for human trafficking crimes; enact. (Rep. D. Farhat)
157	5631		Yes	5/25	5/26	5/26/06 #	Health; planning; preparation of pandemic influenza plan and response to certain epidemics; require department of agriculture to cooperate with department of community health. (Rep. R. Ball)
158	5760		Yes	5/25	5/26	5/26/06	Retirement; public school employees; date reference; revise. (Rep. D. Palsrok)
159	5450		Yes	5/25	5/26	8/24/06	Crimes; kidnapping; crime of kidnapping; clarify elements. (Rep. W. Van Regenmorter)

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160	5451		Yes	5/25	5/26	8/24/06	Crimes; other; unlawful imprisonment; prohibit and prescribe penalties. (Rep. J. Proos)
161	5653		Yes	5/25	5/26	11/26/06	Occupations; physicians' assistants; practice as physician's assistant under supervision of a podiatrist; provide for. (Rep. S. Taub)
162	5747		Yes	5/25	5/26	8/24/06	Crimes; other; human trafficking; prohibit. (Rep. P. Pavlov)
163	5630		Yes	5/25	5/26	5/26/06	Health; immunizations; pandemic influenza preparedness and response plan and annual report; establish and require. (Rep. L. Mortimer)
164	5449		Yes	5/25	5/26	8/24/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of unlawful imprisonment; enact. (Rep. T. Moore)
165		709	Yes	5/29	5/30	8/28/06 #	Crimes; criminal sexual conduct; second or subsequent criminal sexual conduct violation committed by adult against a minor; provide for increased penalty under certain circumstances. (Sen. T. Stamas)
166		717	Yes	5/29	5/30	8/28/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of first degree criminal sexual conduct; revise to reflect increased penalties and to include crime of electronic monitoring violation. (Sen. L. Toy)

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167		718	Yes	5/29	5/30	8/28/06 #	Corrections; parole; parole of individual convicted of certain criminal sexual conduct violations; prohibit. (Sen. J. Gilbert)
168		1122	Yes	5/29	5/30	8/28/06 #	Corrections; parole; electronic monitoring by global positioning devices of certain sex offenders while on parole; require. (Sen. A. Sanborn)
169	5421		Yes	5/29	5/30	8/28/06 #	Criminal procedure; sentencing; mandatory minimum sentences and lifetime electronic monitoring; require for certain first degree criminal sexual conduct crimes. (Rep. P. Pavlov)
170	5422		Yes	5/29	5/30	8/28/06 #	Corrections; parole; jurisdiction of parole board over prisoner convicted of violent first degree sexual conduct against an individual less than 13 years old; revise. (Rep. P. Pavlov)
171	5531		Yes	5/29	5/30	8/28/06 #	Crimes; criminal sexual conduct; mandatory lifetime electronic monitoring of persons convicted of certain criminal sexual conduct crimes; provide for and establish penalties for tampering with electronic monitoring device. (Rep. D. Law)
172	5532		Yes	5/29	5/30	8/28/06 #	Corrections; other; lifetime satellite tracking of certain sex offenders; provide for. (Rep. D. Law)
173	5638		Yes	5/25	5/30	5/30/06 #	Transportation; railroads; midwest interstate rail compact; create. (Rep. J. Kooiman)
174	5854		Yes	5/29	5/30	5/30/06 #	Property tax; tax tribunal; appeals process; modify. (Rep. F. Sheen)

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* Proposed Rules

175	6021		Yes	6/6	6/6	6/6/06	Transportation; other; public transit authority; allow taxes to be levied up to 25 years. (Rep. J. Kooiman)
176	4437		Yes	6/6	6/6	6/6/06 #	Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2005-2006. (Rep. S. Hummel)
177	5607		Yes	6/6	6/6	6/6/06 #	Vehicles; registration plates; replacement of standard design registration plates; require. (Rep. P. LaJoy)
178	5979		Yes	6/6	6/6	6/6/06 #	Transportation; funds; reimbursement limitation; provide for under certain circumstances. (Rep. P. LaJoy)
179	5114		Yes	6/6	6/6	6/6/06	Natural resources; forests; removal of deed restrictions on municipal forest property conveyed by state; make technical changes. (Rep. R. Brown)
180	5354		Yes	6/6	6/6	6/6/06	Property; conveyances; conveyance of the Michigan school for the blind in Ingham county; provide for. (Rep. M. Murphy)
181	5674		Yes	6/6	6/6	6/6/06	Recreation; state parks; Mackinac Island state park commission; authorize to accept gifts and sell property. (Rep. H. Walker)
182	4138		Yes	6/6	6/9	6/9/06	Construction; housing; certain construction requirements for public assisted or funded housing; revise. (Rep. L. Wenke)
183	4778		Yes	6/12	6/12	6/12/06	Torts; immunity; liability for injuries sustained by renters and users of rented nonmotorized watercraft; clarify. (Rep. D. Palsrok)

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184	4977		Yes	6/16	6/19	6/19/06	Weapons; licensing; expiration date of concealed weapons permit; revise to individual's date of birth. (Rep. D. Hildenbrand)
185		837	Yes	6/16	6/19	6/19/06	Gaming; horse racing; money from the Michigan agriculture equine industry development fund to supplement standardbred horse race purses; revise limit. (Sen. R. Emerson)
186		1184	Yes	6/16	6/19	6/19/06	Education; financing; responsibility for special education hearing costs; prescribe. (Sen. W. Kuipers)
187	4460		Yes	6/16	6/19	6/19/06	Fire; safety drills in schools; require lockdown drills to be conducted. (Rep. W. Van Regenmorter)
188	6034		Yes	6/16	6/19	6/19/06	Economic development; Michigan economic growth authority; definition of qualified high-technology business; revise to include "or facility". (Rep. W. Huizenga)
189		1133	Yes	6/16	6/19	6/19/06 #	Fire; bureau of fire services; create in the department of labor and economic growth and transfer certain powers and duties of the state fire marshal to the newly created bureau. (Sen. M. Prusi)
190	5861		Yes	6/16	6/19	6/19/06 #	Fire; act creating Michigan state police; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. J. Stahl)

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191		1134	Yes	6/16	6/19	6/19/06 #	Fire; act creating state arson strike force unit; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. G. Van Woerkom)
192	5862		Yes	6/16	6/19	6/19/06 #	Fire; Stille-DeRossett-Hale single state construction code act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. J. Proos)
193		1135	Yes	6/16	6/19	6/19/06 #	Fire; Michigan aeronautics code; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. M. Prusi)
194	5863		Yes	6/16	6/19	6/19/06 #	Fire; NREPA; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. R. Brown)
195		1136	Yes	6/16	6/19	6/19/06 #	Fire; public health code; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. G. Jacobs)
196	5864		Yes	6/16	6/19	6/19/06 #	Fire; electrical administrative act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. M. Cheeks)
197		1137	Yes	6/16	6/19	6/19/06 #	Fire; Forbes mechanical contractors act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. H. Clarke)

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198	5865		Yes	6/16	6/19	6/19/06 #	Fire; revised school code; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. R. Kahn)
199		1138	Yes	6/16	6/19	6/19/06 #	Fire; construction at school buildings act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. R. Jelinek)
200	5866		Yes	6/16	6/19	6/19/06 #	Fire; social welfare act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. R. Shaffer)
201		1139	Yes	6/16	6/19	6/19/06 #	Fire; adult foster care facility licensing act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. D. Olshove)
202	5867		Yes	6/16	6/19	6/19/06 #	Fire; elevator safety board act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. B. Farrah)
203		1140	Yes	6/16	6/19	6/19/06 #	Fire; firefighters compensation act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. V. Garcia)
204	5868		Yes	6/16	6/19	6/19/06 #	Fire; motor carrier safety act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. J. Marleau)

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205		1141	Yes	6/16	6/19	6/19/06 #	Fire; act relating to public records; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. L. Toy)
206	5869		Yes	6/16	6/19	6/19/06 #	Fire; child care organizations act; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. M. Hood)
207		1142	Yes	6/16	6/19	6/19/06 #	Fire; mental health code; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Sen. M. Scott)
208	5870		Yes	6/16	6/19	6/19/06 #	Fire; insurance code; amend to reflect transfer of fire marshal from state police to department of labor and economic growth. (Rep. G. Polidori)
209		1143	Yes	6/16	6/19	6/19/06 #	Fire; Michigan penal code; amend to reflect transfer of duties to bureau of fire services. (Sen. B. Hardiman)
210		1144	Yes	6/16	6/19	6/19/06 #	Law enforcement; fire personnel; act providing immunity to firefighter instructors; amend to reflect amendments to fire fighters training council act. (Sen. V. Garcia)
211		1145	Yes	6/16	6/19	6/19/06 #	Law enforcement; fire personnel; act providing immunity to institutions of higher education and health facilities that train firefighters; amend to reflect amendments to fire fighters training council act. (Sen. D. Cherry)

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212	5871		Yes	6/16	6/19	6/19/06 #	Vehicles; automobiles; exemption of firefighters from group commercial motor vehicle designation requirement; revise to reflect amendment of fire fighters training council act. (Rep. C. Kolb)
213	5860		Yes	No	6/19	6/19/06 #	Fire; fire fighters training council; transfer to bureau of fire services, make state fire marshal a member, and give state fire marshal primary authority over firefighter training. (Rep. D. Farhat)
214	4271		Yes	6/21	6/21	6/21/06	Property tax; classification; agricultural operations; expand definition of livestock. (Rep. J. Hune)
215	4118		Yes	6/24	6/26	6/26/06	Education; athletics; local policy prescribing that use of performance-enhancing substances will affect a pupil's eligibility to participate in school sponsored athletics; require public schools to adopt. (Rep. D. Acciavatti)
216	4594		Yes	6/24	6/26	6/26/06	Crimes; controlled substances; drug free school zones; expand to prohibit possession of anabolic steroids within 1,000 feet of school property. (Rep. L. Mortimer)
217	4595		Yes	6/24	6/26	6/26/06	Crimes; controlled substances; drug free park zones; expand to prohibit possession of anabolic steroids within 1,000 feet of a park. (Rep. R. Ball)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
218	5962		Yes	6/24	6/26	6/26/06	Insurance; health care corporations; provision regarding compliance with health insurance portability and accountability act (HIPPA) privacy rule; include. (Rep. J. Hune)
219	4366		Yes	6/24	6/26	6/26/06	Liens; other; horseshoer's lien act; repeal. (Rep. B. Caul)
220	5036		Yes	6/24	6/26	6/26/06	Agriculture; animals; rule-making authority regarding ferrets; repeal. (Rep. R. Ball)
221	5160		Yes	6/24	6/26	6/26/06	Agriculture; products; rule-making authority; revise. (Rep. J. Sheltrown)
222	5346		Yes	6/24	6/26	6/26/06	Agriculture; other; rule-making authority regarding apiaries; revise. (Rep. J. Stahl)
223	5347		Yes	6/24	6/26	6/26/06	Agriculture; products; rule-making authority regarding organic products; revise. (Rep. J. Stahl)
224	6070		Yes	6/24	6/26	1/1/06	Single business tax; credit; brownfield credit assignment; provide for. (Rep. W. Huizenga)
225		471	Yes	6/24	6/26	6/26/06	Courts; other; state court information management commission; eliminate. (Sen. L. Toy)
226		472	Yes	6/24	6/26	6/26/06	Energy; other; Michigan superconducting super collider commission; eliminate. (Sen. W. Kuipers)
227		473	Yes	6/24	6/26	6/26/06	Records; public; enhanced access to public records joint review committee; repeal. (Sen. M. Goschka)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
228		474	Yes	6/24	6/26	6/26/06	State; funds; treasury advisory board; repeal. (Sen. V. Garcia)
229		475	Yes	6/24	6/26	6/26/06	Higher education; research; state research fund feasibility review panel; eliminate. (Sen. B. Hardiman)
230		476	Yes	6/24	6/26	6/26/06	State; funds; Michigan strategic fund, research center fund advisory committee; eliminate. (Sen. A. Sanborn)
231		478	Yes	6/24	6/26	6/26/06	State agencies (existing); boards and commissions; highway safety task force; eliminate. (Sen. R. Jelinek)
232		481	Yes	6/24	6/26	6/26/06	Courts; cyber court; legislative oversight committee on the cyber court; eliminate. (Sen. A. Cropsey)
233		816	Yes	6/24	6/26	7/1/06	Crimes; public safety; unlawfully using or tampering with a marine safety device; prohibit and provide penalties. (Sen. W. Kuipers)
234		817	Yes	6/24	6/26	7/1/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of using or tampering with marine safety device causing serious impairment or death; enact. (Sen. J. Gilbert)
235	5977		Yes	6/24	6/26	6/26/06	Education; calendar; certain exceptions from requirement that school year begin after Labor day; provide for. (Rep. J. Moolenaar)
236	5396		Yes	6/24	6/26	9/1/06	Trade; tobacco; purchase or attempt to purchase tobacco products by minors; prohibit and provide exceptions. (Rep. D. Law)

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* Proposed Rules

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
237	5125		Yes	6/24	6/26	6/26/06	Natural resources; inland lakes; establishment of special rules on lakes; modify process. (Rep. G. Hansen)
238	5015		Yes	6/24	6/26	6/26/06	Health; diseases; hepatitis C advisory task force; establish. (Rep. R. Kahn)
239	5014		Yes	6/24	6/26	6/26/06	Health; diseases; educational materials on hepatitis C for health care workers, public safety officers, parolees, veterans, and other high-risk individuals; provide for. (Rep. K. Green)
240	6183		Yes	6/27	6/27	6/27/06	Single business tax; credit; brownfield and historic preservation credits; provide for claiming of credits accrued after the repeal of the single business tax act. (Rep. G. Steil)
241		861	Yes	6/28	6/30	6/30/06	Higher education; financial aid; Michigan merit award scholarship program; revise types of scholarships available to students. (Sen. R. Emerson)
242		1146	Yes	6/28	6/30	9/28/06	Crimes; other; penalties for knowingly or willfully concealing or harboring certain individuals; provide. (Sen. A. Cropsey)
243		1147	Yes	6/28	6/30	6/30/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of harboring a person for whom a felony warrant has been issued; enact. (Sen. G. Van Woerkom)

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244		689	Yes	6/28	6/30	6/30/06	Torts; liability; liability of fire department donating fire equipment to other fire departments; limit. (Sen. T. Stamas)
245		1120	Yes	6/30	6/30	6/30/06	Local government; public services; number of installments of special assessments authorized by cities, villages, townships, or county board of public works; increase to 40. (Sen. M. Goschka)
246		1202	Yes	6/30	6/30	6/30/06	Consumer protection; other; sale of cellular telephone records; prohibit. (Sen. B. Patterson)
247		582	Yes	6/28	7/3	7/3/06	Administrative procedure; rules; requirement for copies of administrative rules to be filed at the secretary of state; revise. (Sen. M. Bishop)
248	6110		Yes	6/28	7/3	7/3/06	Recreation; state parks; naming of certain state parks; provide for. (Rep. D. Hildenbrand)
249		1172	Yes	6/28	7/3	7/3/06	Communications; telecommunications; sunset on 9-1-1 emergency service district; extend. (Sen. C. Brown)
250	5328		Yes	6/30	7/3	7/3/06	Financial institutions; other; licensing and regulation of providers of money transmission services; provide for. (Rep. T. Hunter)
251	5329		Yes	6/30	7/3	7/3/06 #	Criminal procedure; sentencing guidelines; certain money services act violations; provide for in sentencing guidelines. (Rep. D. Palsrok)

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252	5324		Yes	6/30	7/3	7/3/06 #	Financial institutions; other; consumer financial services act; conform to new money transmission services act. (Rep. W. Huizenga)
253	5562		Yes	6/28	7/3	7/3/06	Liquor; retail sales; sale of beer and wine for takeout at certain establishments with motor vehicle pumps; revise eligibility. (Rep. K. Elsenheimer)
254		538	Yes	6/30	7/5	7/5/06	Environmental protection; funding; small business pollution prevention loans; make methane digesters and similar technologies eligible for. (Sen. C. Brown)
255		1115	Yes	6/30	7/6	1/1/07 #	Law enforcement; reports; website disclosure referencing methamphetamine sites and certain cleanup procedures; require. (Sen. T. George)
256		1116	Yes	6/30	7/6	7/6/06	Children; protection; requirement for department of human services to assist and cooperate with law enforcement officials when child has been exposed to methamphetamine; provide for. (Sen. B. Hardiman)
257		1119	Yes	6/30	7/6	10/1/06	Civil procedure; civil actions; action against persons who publish on the internet information on production or manufacturing of methamphetamine; provide for. (Sen. G. Van Woerkom)

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258		1112	Yes	6/30	7/6	7/6/06	Housing; other; responsibility for certain decisions regarding environmental contamination; revise. (Sen. P. Birkholz)
259		1282	Yes	6/30	7/6	10/1/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for sale, distribution, or delivery of product containing ephedrine or pseudoephedrine by mail, internet, or telephone; enact. (Sen. J. Gilbert)
260	5798		Yes	6/30	7/6	7/6/06	State agencies (existing); community health; clandestine drug lab cleanup guidance document and notice of potential contamination of property as a result of the illegal drug manufacturing site; require department to establish. (Rep. T. Schuitmaker)
261	5822		Yes	6/30	7/6	10/1/06 #	Health; pharmaceuticals; sale of certain over-the-counter medications that contain ephedrine or pseudoephedrine via the mail, internet, telephone, or other electronic means; prohibit. (Rep. R. Jones)
262	5841		Yes	6/30	7/6	10/1/06	Crimes; controlled substances; methamphetamine reporting; require of certain state agencies. (Rep. T. Schuitmaker)
263	5843		Yes	6/30	7/6	7/6/06	Children; protection; referral of cases involving child exposure to methamphetamine production to the prosecuting attorney; require. (Rep. T. Casperson)

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264	5844		Yes	6/30	7/6	7/6/06	Children; protection; reporting requirements for child suspected of having been exposed to or having had contact with methamphetamine production; establish. (Rep. R. Baxter)
265	5845		Yes	6/30	7/6	7/6/06	Environmental protection; hazardous waste; departmental report of certain environmental contamination caused by releases associated with clandestine drug laboratories; require. (Rep. T. Moore)
266	5930		Yes	6/30	7/6	7/6/06	Children; services; methamphetamine protocol for child exposure; create. (Rep. T. Schuitmaker)
267	5061		Yes	6/30	7/7	7/7/06	Labor; hours and wages; disaster leave for state employees; provide for under certain circumstances. (Rep. K. Green)
268		1074	Yes	7/7	7/7	9/1/06 #	Transportation; motor fuel tax; differential rate on certain motor fuels; provide for. (Sen. J. Gilbert)
269		1075	Yes	7/7	7/7	7/7/06	State; purchasing; state fleets; require to use certain fuels. (Sen. W. Kuipers)
270		1078	Yes	7/7	7/7	7/7/06	Economic development; renaissance zones; renaissance zones for renewable energy facilities; provide for. (Sen. B. Patterson)
271		1079	Yes	7/7	7/7	7/7/06	Transportation; other; standards and codes for use of diesel, biodiesel, and hydrogen; establish. (Sen. C. Brown)

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272	5181		Yes	7/7	7/7	7/7/06	Transportation; other; commission to promote the research and use of ethanol, biodiesel, and other renewable fuels; create. (Rep. J. Mayes)
273	5752		Yes	7/7	7/7	7/7/06	Economic development; renaissance zones; renaissance zones for renewable energy facilities; provide for. (Rep. T. Casperson)
274	5754		Yes	7/7	7/7	7/7/06	Economic development; economic development corporations; funding for fueling infrastructure; provide for. (Rep. N. Nitz)
275		1040	Yes	7/7	7/7	7/7/06	Water; dams; small dam removal; provide for general permits. (Sen. P. Birkholz)
276	5479		Yes	7/7	7/7	7/7/06	Education; school districts; local government input into high school site plans; provide for under certain circumstances. (Rep. P. LaJoy)
277	5959		Yes	7/7	7/7	1/1/04	Transportation; motor fuel tax; provision regarding farm diesel for leaded racing fuel; provide for. (Rep. T. Schuitmaker)
278	4468		Yes	7/7	7/7	7/7/06	Property tax; classification; hunting preserves licensed by the department of natural resources; classify as agricultural property. (Rep. J. Stahl)

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279	5056		Yes	7/7	7/7	7/7/06	Economic development; downtown development authorities; members of the board; allow officers, members, trustees, principals, or employees of a legal entity having interest in downtown development district. (Rep. S. Bieda)
280	5192		Yes	7/7	7/10	7/10/06	Natural resources; hunting; minimum age; reduce. (Rep. S. Hummel)
281	6035		Yes	7/10	7/10	7/10/06 #	Economic development; Michigan economic growth authority; definition of full-time job; revise. (Rep. R. Baxter)
282		1105	Yes	7/7	7/10	7/10/06	Natural resources; hunting; apprentice hunting license for persons without hunter safety training; create and reduce minimum hunting age. (Sen. M. McManus)
283		802	Yes	7/10	7/10	7/10/06 #	Economic development; Michigan economic growth authority; eligibility criteria; modify. (Sen. J. Allen)
284		900	Yes	7/10	7/10	7/10/06	Economic development; renaissance zones; number of agriculture processing renaissance zones; expand. (Sen. R. Jelinek)
285	6069		Yes	7/10	7/10	7/10/06	Education; financing; permissible duration of school aid anticipation notes; revise. (Rep. R. Baxter)
286		1198	Yes	7/18	7/19	7/19/06	Human services; medical services; lead testing for WIC recipients; require. (Sen. M. Scott)

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287	5952		Yes	7/14	7/20	7/20/06 #	Transportation; motor fuel tax; requirement for use or disposal of motor fuel or other product to be in compliance with ASTM standards; eliminate. (Rep. P. LaJoy)
288	5953		Yes	7/14	7/20	7/20/06	Family law; marriage and divorce; provision regarding property rights; modify. (Rep. T. Schuitmaker)
289	6196		Yes	7/14	7/20	7/20/06 #	Insurance; other; certain compensation paid by domestic insurer; provide for general amendments. (Rep. L. Mortimer)
290	6195		Yes	7/14	7/20	7/20/06 #	Insurance; other; action by board of directors and board committees; permit without a meeting in certain cases. (Rep. D. Hildenbrand)
291	6194		Yes	7/14	7/20	7/20/06 #	Insurance; other; board of directors of domestic insurer; provide for general amendments. (Rep. L. Mortimer)
292	5955		Yes	7/18	7/20	7/20/06 #	Occupations; pawnbrokers; posting of certain items on the website; require, exempt certain persons from licensure, and establish certain record-keeping methods. (Rep. D. Hildenbrand)
293	5956		Yes	7/18	7/20	7/20/06 #	Occupations; pawnbrokers; posting of certain items on the website; require, exempt certain persons from licensure, and establish certain record-keeping methods. (Rep. E. Clemente)
294	5957		Yes	7/18	7/20	7/20/06 #	Occupations; junk and secondhand dealers; posting of certain items on the website; require, exempt certain persons from licensure, and establish certain record-keeping methods. (Rep. D. Palsrok)

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295	5958		Yes	7/18	7/20	7/20/06 #	Occupations; other; posting of certain items on the website; require, exempt certain persons from registration, and establish certain record-keeping methods. (Rep. M. Nofs)
296		541	Yes	7/18	7/20	9/1/06	Torts; civil procedure; revised structured settlement protection act; enact. (Sen. A. Sanborn)
297	4807		Yes	7/18	7/20	7/20/06	Traffic control; traffic regulation; authority of local law enforcement to enforce traffic laws on certain private roads; omit need for owner consent and contract to confer. (Rep. J. Stakoe)
298	6084		Yes	7/18	7/20	7/20/06	Traffic control; driver license; commercial driver license requirements; modify to comply with federal law. (Rep. P. LaJoy)
299	4870		Yes	7/18	7/20	7/20/06 #	Cemeteries and funerals; burial or cremation; persons entitled to make funeral and burial arrangement for a deceased; establish priority and related procedures. (Rep. B. Caswell)
300	4891		Yes	7/18	7/20	7/20/06 #	Cemeteries and funerals; burial or cremation; persons entitled to make funeral and burial arrangements for a deceased; revise language in occupational code to reflect changes in estates and protected individuals code. (Rep. D. Law)

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301	5836		Yes	7/18	7/20	7/20/06 #	Cemeteries and funerals; burial or cremation; persons entitled to make funeral and burial arrangements for a deceased; revise language in public health code to reflect changes in estates and protected individuals code. (Rep. B. Caswell)
302	6175		Yes	7/18	7/20	7/20/06	Consumer protection; retail installment sales; electronic titling and registration fees; allow in vehicle installment sales contracts. (Rep. J. Hune)
303		1296	Yes	7/18	7/20	7/20/06	Education; curricula; voluntary single gender schools, classrooms, or programs; allow under certain conditions. (Sen. S. Thomas)
304	5456		Yes	7/19	7/20	7/20/06 #	Economic development; renaissance zones; renaissance zones definitions; modify. (Rep. H. Walker)
305		919	Yes	7/19	7/20	7/20/06 #	Economic development; renaissance zones; forest products renaissance zones; create. (Sen. P. Birkholz)
306		1121	Yes	7/18	7/20	7/20/06	Mental health; community mental health; individuals providing prescreening services; expand. (Sen. T. Stamas)
307		971	Yes	7/19	7/20	7/20/06 #	Recreation; state parks; transfers of state park land; provide process for review. (Sen. C. Brown)

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308		972	Yes	7/19	7/20	7/20/06 #	Recreation; state parks; surplus lands; prohibit land within state parks from being designated surplus. (Sen. P. Birkholz)
309	5143		Yes	7/18	7/20	10/1/06 #	Crimes; other; circumstances under which an individual may exercise right to self-defense and defense of others; clarify. (Rep. R. Jones)
310	5153		Yes	7/18	7/20	10/1/06 #	Criminal procedure; defenses; use of deadly force or force other than deadly force in compliance with self-defense act; decriminalize under certain circumstances. (Rep. L. Mortimer)
311		1046	Yes	7/18	7/20	10/1/06 #	Crimes; other; right to self-defense and defense of others; clarify. (Sen. A. Cropsey)
312		1185	Yes	7/18	7/20	10/1/06 #	Civil procedure; civil actions; payment of attorney fees and costs to individual wrongfully sued for using force in compliance with self-defense act; require. (Sen. R. Jelinek)
313	5142		Yes	7/18	7/20	10/1/06 #	Crimes; other; use of deadly force on certain premises without duty to retreat; clarify when common law applies. (Rep. T. Casperson)
314	5548		Yes	7/18	7/20	10/1/06 #	Civil procedure; civil actions; civil action against person who uses force in compliance with self-defense act; prohibit and provide remedies. (Rep. T. Moore)

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315		1196	Yes	7/20	7/20	7/20/06 #	Corrections; parole; fact-finding hearing regarding possible parole revocation; revise procedures for. (Sen. A. Sanborn)
316	5967		Yes	7/20	7/20	7/20/06 #	Corrections; parole; procedures for revocation of parole; clarify. (Rep. R. Ball)
317		727	Yes	7/20	7/20	7/20/06	Economic development; economic development corporations; defense contract coordination center; create. (Sen. V. Garcia)
318		1260	Yes	7/20	7/20	7/20/06 #	Environmental protection; underground storage tanks; the refined petroleum product cleanup initial program and the temporary reimbursement program; authorize expenditures. (Sen. M. McManus)
319		1176	Yes	7/20	7/20	7/20/06	Income tax; credit; tax credit for stillborn birth; provide for. (Sen. T. Stamas)
320	5581		Yes	7/20	7/20	7/20/06	Transportation; school vehicles; actuation of alternately flashing red lights when loading and unloading students; require. (Rep. R. Jones)
321	6047		Yes	7/20	7/20	7/20/06 #	Environmental protection; underground storage tanks; refined petroleum product cleanup initial program and temporary reimbursement program; create. (Rep. C. Kolb)

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322	6202		Yes	7/20	7/20	7/20/06 #	Environmental protection; underground storage tanks; refined petroleum product cleanup initial program and temporary reimbursement program; implement. (Rep. D. Palsrok)
323	4971		Yes	7/20	7/20	7/20/06	Single business tax; credit; research and development compensation credit; provide for. (Rep. F. Sheen)
324	4375		Yes	7/20	7/20	7/20/06	Education; curricula; instruction programs regarding warning signs and risk factors of suicide and depression; encourage schools to provide. (Rep. C. Ward)
326		784	Yes	8/9	8/10	12/31/04	Property tax; exemptions; federally qualified health centers; exempt from real and personal property taxes. (Sen. J. Allen)
327	5063		Yes	8/9	8/10	8/10/06	Human services; medical services; screening, laboratory services, diagnostic services, early intervention services, and treatment of chronic kidney disease for medicaid eligible individual; provide for. (Rep. J. Gleason)
328	5839		Yes	8/9	8/10	8/10/06	Housing; manufactured, modular, or mobile homes; collection and expenditure of certain fees; revise. (Rep. D. Hildenbrand)
329	6005		Yes	8/9	8/10	8/10/06	Economic development; downtown development authorities; certain development plans and tax increment financing plans; validate. (Rep. C. Ward)

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330		1083	Yes	8/10	8/10	8/10/06	Appropriations; community health; department of community health; provide for fiscal year 2006-2007. (Sen. D. Cherry)
331		1084	Yes	8/10	8/10	8/10/06	Appropriations; corrections; department of corrections; provide for fiscal year 2006-2007. (Sen. M. Switalski)
332		1085	Yes	8/10	8/10	8/10/06 +	Appropriations; education; department of education; provide for fiscal year 2006-2007. (Sen. M. Scott)
333		403	Yes	8/15	8/15	7/1/07	Health; occupations; licensure of nutritionists and dietitians; provide for. (Sen. L. Toy)
334		443	Yes	8/15	8/15	8/15/06	Education; teachers; individual holding secondary level teaching certificate to be certified to teach grade 6 in subject areas in which he or she is endorsed; provide for. (Sen. D. Olshove)
335		673	Yes	8/15	8/15	8/15/06	Education; employees; voluntary certification for school administrators; provide for. (Sen. R. Jelinek)
336		1107	Yes	8/15	8/15	8/15/06	Land use; land division; county road commissions' method of approving final plat; revise. (Sen. P. Birkholz)
337		1108	Yes	8/15	8/15	8/15/06	Education; safety; fire, tornado, and terrorism emergency preparedness drills; require to be conducted during nonclass time. (Sen. J. Gilbert)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
338		1182	Yes	8/15	8/15	8/15/06	Transportation; funds; local limitation on transfer of funds from major street system to local street system; increase. (Sen. J. Gilbert)
339		1224	Yes	8/15	8/15	8/15/06	Vehicles; bicycles; rights of bicyclists to operate on public roads and sidewalks; clarify. (Sen. M. McManus)
340		1088	Yes	8/15	8/15	8/15/06	Appropriations; higher education; higher education; provide for fiscal year 2006-2007. (Sen. D. Cherry)
341		1082	Yes	8/15	8/15	8/15/06	Appropriations; community colleges; community and junior colleges; provide for fiscal year 2006-2007. (Sen. M. Switalski)
342		1095	Yes	8/15	8/15	***	Appropriations; school aid; school aid; provide for fiscal year 2006-2007 and make certain adjustments for 2005-2006. (Sen. M. Switalski)
343		1086	Yes	8/15	8/16	8/16/06 +	Appropriations; environmental quality; department of environmental quality; provide for fiscal year 2006-2007. (Sen. J. Barcia)
344		1094	Yes	8/15	8/16	8/16/06 +	Appropriations; natural resources; department of natural resources; provide for fiscal year 2006-2007. (Sen. J. Barcia)
345	5796		Yes	8/15	8/16	8/16/06 +	Appropriations; other; omnibus budget appropriations bill; provide for fiscal years 2006 and 2007 and make certain adjustments for 2005-2006. (Rep. S. Hummel)

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+ - Line item veto

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
346		1362	Yes	9/1	9/1	9/1/06	Transportation; motor carrier fuel tax; reduced rate on alternative fuels; implement. (Sen. J. Gilbert)
347	4264		Yes	9/1	9/1	9/1/06 #	Education; school districts; first class school district to operate single gender schools or classes; allow under certain circumstances. (Rep. L. Lemmons, III)
348	6247		Yes	9/1	9/1	9/1/06 #	Education; school districts; gender based schools or classrooms; allow under Elliot-Larsen civil rights act under certain circumstances. (Rep. B. McConico)
349		1047	Yes	9/15	9/18	9/18/06	Economic development; neighborhood enterprise zones; eligibility; expand to include a certain development in the city of Ecorse. (Sen. R. Basham)
350	5217		Yes	9/15	9/18	9/18/06	Weapons; licensing; concealed pistol license records; provide for confidentiality and limit applicant's obligation to disclose criminal record. (Rep. S. Hummel)
351	5800		Yes	9/15	9/18	9/18/06	Corrections; other; use of the Michigan youth correctional facility; revise. (Rep. G. Hansen)
352	5602		Yes	9/15	9/18	9/18/06 #	Probate; wills and estates; rights of inheritance of adopted individuals and adoptive and natural parents; remove conflict between EPIC and adoption code. (Rep. T. Schuitmaker)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
353		420	Yes	9/15	9/18	9/18/06 #	Family law; parenting time; provisions regarding grandparent visitation after stepparent adoption; limit to parent of a deceased parent. (Sen. I. Clark-Coleman)
354	6223		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
355	6224		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
356	6225		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
357	6226		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
358	6227		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
359	6228		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
360	6229		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
361	6230		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
362	6231		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
363	6232		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
364	6233		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
365	6234		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
366	6235		Yes	9/15	9/18	9/18/06 #	Insurance; other; guaranty association; provide for general amendments. (Rep. L. Mortimer)
367	5060		Yes	9/20	9/21	#	Property; other; use of eminent domain by state or local government to take private property for the primary benefit of a private entity; prohibit. (Rep. G. Steil)
368		693	Yes	9/20	9/21		Land use; condemnation; use of eminent domain to transfer private property to private entities; restrict. (Sen. C. Brown)
369	5817		Yes	9/20	9/21	12/23/06 #	Land use; condemnation; payments to residential occupants who move due to condemnation actions; increase maximum. (Rep. S. Tobocman)
370	5818		Yes	9/20	9/21	12/23/06 #	Land use; condemnation; reimbursement for witness fees in certain actions regarding condemnation; provide for. (Rep. L. Drolet)

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371	5819		Yes	9/20	9/21	12/23/06 #	Land use; condemnation; timing of compensation payments in condemnation actions; revise. (Rep. J. Garfield)
372		453	Yes	9/22	9/22	9/22/06 #	Income tax; credit; Michigan earned income tax credit; provide for. (Sen. N. Cassis)
373	6213		Yes	9/22	9/22	10/1/06 #	Labor; hours and wages; minimum wage and overtime exemptions for employees subject to the federal minimum wage; revise. (Rep. W. Huizenga)
374		1234	Yes	9/22	9/22	10/1/06	Crimes; stolen property; provision regarding stolen, embezzled, or converted property; revise. (Sen. A. Cropsey)
375		1364	Yes	9/22	9/22	10/1/06 #	Labor; hours and wages; training, student, and youth wage; increase and modify. (Sen. C. Brown)
376	4072		Yes	9/22	9/22	9/22/06	Property tax; exemptions; horse boarding stables; classify as agricultural real property. (Rep. D. Hildenbrand)
377		1267	Yes	9/26	9/27	9/27/06	Vehicles; other; definition of "low-speed vehicle"; revise. (Sen. J. Allen)
378		912	Yes	9/26	9/27	9/27/06 #	Property tax; classification; certain qualified forest property; exempt. (Sen. G. Van Woerkom)
379		913	Yes	9/26	9/27	9/27/06 #	Taxation; other; qualified forest property recapture tax; create. (Sen. T. Stamas)
380		914	Yes	9/26	9/27	9/27/06 #	Education; other; qualified forest property; exempt from operating mills. (Sen. J. Allen)

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381		917	Yes	9/26	9/27	9/27/06	Taxation; specific property; specific tax on certain commercial forests subject to certain conservation easements; modify. (Sen. S. Johnson)
382	5454		Yes	9/26	9/27	9/27/06 #	Natural resources; forests; commercial forests; adjust tax and modify penalties for withdrawing lands from commercial forest. (Rep. K. Elsenheimer)
383	5455		Yes	9/26	9/27	9/27/06 #	Natural resources; forests; commercial forest act; modify eligibility criteria. (Rep. W. Huizenga)
384		1290	Yes	9/26	9/27	10/1/06	Traffic control; driver license; driver education provider and instructor act; establish. (Sen. J. Gilbert)
385	6141		Yes	9/26	9/27	9/27/06 #	Health; code; occupation titles and board provisions for physicians and physicians' assistants; relocate. (Rep. R. Kahn)
386	6148		Yes	9/26	9/27	9/27/06 #	Health; code; occupation titles and board provisions for osteopathic physicians; relocate. (Rep. B. Clack)
387	6208		Yes	9/26	9/27	9/27/06 #	Health; code; occupation titles and board provisions for physical therapists and terms of office for members of the athletic trainer board; relocate. (Rep. C. Ward)
388	6207		Yes	9/26	9/27	9/27/06 #	Health; code; occupation titles and board provisions for marriage and family therapists; relocate. (Rep. E. Gaffney)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
389	6206		Yes	9/26	9/27	9/27/06 #	Health; code; terms of office for members of the board of nursing home administrators; relocate. (Rep. M. Nofs)
390	6205		Yes	9/26	9/27	9/27/06 #	Health; code; occupation titles and board provisions for pharmacists; relocate. (Rep. K. Green)
391	6149		Yes	9/26	9/27	9/27/06 #	Health; code; occupation titles and board provisions for podiatrists; relocate. (Rep. L. Mortimer)
392	6147		Yes	9/26	9/27	9/27/06	Health; code; occupation titles and board provisions; clean up and repeal. (Rep. E. Gaffney)
393	6146		Yes	9/26	9/27	9/27/06 #	Health; code; terms of office for members of the board of social work; relocate. (Rep. E. Gaffney)
394	6145		Yes	9/26	9/27	9/27/06 #	Health; code; terms of office for members of the board of occupational therapists; relocate. (Rep. M. Murphy)
395	6143		Yes	9/26	9/27	9/27/06 #	Health; code; occupation titles and board provisions for psychologists; relocate. (Rep. J. Hune)
396	6142		Yes	9/26	9/27	9/27/06 #	Health; code; occupation titles and board provisions for chiropractors; relocate. (Rep. G. Newell)
397	6062		Yes	9/26	9/27	9/27/06	Health; code; occupation titles and board provisions for acupuncturists; relocate. (Rep. L. Mortimer)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
398	6253		Yes	9/26	9/27	9/27/06	Occupations; individual licensing and regulation; extension of sunset for temporary licensure of certain registered nurses and licensure of certain individuals if there are pending out-of-state sanctions under certain circumstances; provide for. (Rep. E. Gaffney)
399		880	Yes	9/29	9/29	9/29/06	Insurance; annuities; senior protection in annuity transactions; provide for. (Sen. G. Van Woerkom)
400		875	Yes	9/29	9/29	9/29/06	Local government; financing; pooled investment programs; allow. (Sen. B. Hardiman)
401	4861		Yes	9/29	9/29	12/28/06	Law enforcement; other; use of pepper spray or foam devices by certain law enforcement personnel; allow. (Rep. R. Ball)
402	5193		Yes	9/29	9/29	12/1/06 #	Corrections; prisoners; address where prisoners who are sex offenders will reside; require department of corrections to provide before prisoner is released. (Rep. R. Baxter)
403	5194		Yes	9/29	9/29	12/1/06 #	Corrections; prisoners; prisoners who are sex offenders; require to provide address to department of corrections before being released. (Rep. R. Baxter)

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404	6135		Yes	9/29	9/29	12/1/06 #	Criminal procedure; sentencing guidelines; crime of sex offender failing to provide notice of proposed residence upon release from incarceration; provide in sentencing guidelines. (Rep. R. Baxter)
405	5719		Yes	9/29	9/29	10/1/06	Crimes; other; sale or possession of firefighter or emergency medical service providers uniforms, patches, and badges; prohibit under certain circumstances. (Rep. B. Caul)
406	6063		Yes	9/29	9/29	9/29/06	Health; code; occupation titles and board provisions for veterinarians; relocate. (Rep. L. Mortimer)
407	6064		Yes	9/29	9/29	9/29/06 #	Health; code; terms of office for members of the board of respiratory care; relocate. (Rep. L. Mortimer)
408	6086		Yes	9/29	9/29	9/29/06 #	Health; code; title protection for sanitarian; clarify. (Rep. L. Wojno)
409	6138		Yes	9/29	9/29	9/29/06 #	Health; code; occupation titles and board provisions for nurses; relocate. (Rep. B. Vander Veen)
410	6139		Yes	9/29	9/29	9/29/06 #	Health; code; occupation titles and board provisions for optometrists; relocate. (Rep. R. Ball)
411	6140		Yes	9/29	9/29	9/29/06 #	Health; code; occupation titles and board provisions for audiologists; relocate. (Rep. D. Robertson)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
412		848	No	9/29	9/29	**	Insurance; health; offering of wellness coverage with premium rebate; provide for. (Sen. T. George)
413		849	No	9/29	9/29	**	Insurance; health care corporations; offering of wellness coverage with premium rebate; provide for. (Sen. T. George)
414		1016	Yes	9/29	9/29	9/29/06	Occupations; real estate; requirements for a real estate appraisers license; revise. (Sen. T. George)
415	4431		Yes	9/29	9/29	12/1/06	Crimes; homicide; definition of first degree murder; expand to include murder committed in the perpetration or attempted perpetration of aggravated stalking, the violation of a personal protection order, and the violation of a condition of release on bond or on parole. (Rep. L. Wenke)
416	5672		Yes	9/29	9/29	9/29/06	Health; pharmaceuticals; cancer drug repository program; create. (Rep. B. Vander Veen)
417		877	Yes	9/29	9/29	9/29/06 #	Agriculture; fertilizer; anhydrous ammonia; set security standards. (Sen. V. Garcia)
418	4108		Yes	9/29	9/29	9/29/06 #	Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for. (Rep. J. Mayes)
419	4086		Yes	9/29	9/29	9/29/06	Family law; marriage and divorce; solemnization of marriage; allow all county clerks and certain designees to conduct. (Rep. S. Taub)

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* Proposed Rules

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
420	6014		Yes	9/29	9/29	9/29/06 #	Higher education; private; operation of religious colleges; authorize under general corporation act. (Rep. K. Elsenheimer)
421	6016		Yes	9/29	9/29	9/29/06 #	Higher education; private; state regulation of nonincorporated private postsecondary educational institutions; exempt religious colleges. (Rep. B. Palmer)
422		1167	Yes	9/29	9/29	9/29/06 #	Agriculture; other; value-added and commercialization roundtable; establish for certain purposes. (Sen. R. Jelinek)
423		1168	Yes	9/29	9/29	9/29/06 #	Agriculture; other; value-added and commercialization program for agriculture processing; expand to include a grant and loan program. (Sen. M. McManus)
424		1169	Yes	9/29	9/29	9/29/06 #	Agriculture; other; agricultural development fund; create and provide for administration. (Sen. C. Brown)
425	6249		Yes	10/3	10/5	10/5/06	Higher education; financial aid; use of Michigan guaranty agency operating fund for state competitive scholarship and tuition incentive programs; authorize. (Rep. J. Kooiman)
426	6197		Yes	10/3	10/5	10/5/06	Occupations; notaries public; technical and clarifying amendments; provide for. (Rep. K. Elsenheimer)
427		435	Yes	10/3	10/5	10/5/06	Gaming; bingo; miscellaneous amendments to the bingo act; enact. (Sen. J. Barcia)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
428	6089		Yes	10/3	10/5	10/5/06	Use tax; credits and deductions; definition of "delivery charges"; exclude postage under certain circumstances. (Rep. J. Kooiman)
429	6150		Yes	10/3	10/5	10/5/06 #	Health; code; occupation titles and board provisions for dentists, dental hygienists, dental assistants, and counselors; relocate. (Rep. J. Gleason)
430	6164		Yes	10/3	10/5	10/5/06	Environmental protection; permits; wetlands; allow local units to waive right to comment on state permit. (Rep. J. Pastor)
431	6165		Yes	10/3	10/5	10/5/06	Environmental protection; permits; wetlands permits; provide for minor permit revisions. (Rep. J. Pastor)
432	6248		Yes	10/3	10/5	10/5/06	Insurance; other; waiver of customer liability agreement; clarify as not being insurance. (Rep. J. Hune)
433	5408		Yes	10/3	10/5	10/5/06	Natural resources; hunting; transporting firearms and bows and arrows; eliminate, under certain circumstances, requirement for hunting license. (Rep. T. Moore)
434	6090		Yes	10/3	10/5	10/5/06	Sales tax; credits and deductions; definition of "delivery charges"; exclude postage under certain circumstances. (Rep. G. Steil)

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435	6162		Yes	10/3	10/5	10/5/06	Environmental protection; permits; prospective wetlands permit application; provide for meeting between applicant and department of environmental quality to review. (Rep. J. Pastor)
436		1284	Yes	10/3	10/5	10/5/06	Economic development; plant rehabilitation; eligibility for an industrial facilities exemption certificate provision; expand. (Sen. L. Toy)
437		1375	Yes	10/3	10/5	10/5/06	Revenue sharing; cities and villages; distribution of revenue sharing payments for the 2006-2007 state fiscal year; revise. (Sen. M. Switalski)
438	5820		Yes	10/3	10/5	12/23/06 #	Land use; condemnation; provisions regarding escrowed compensation dedicated to cost of environmental remediation; revise. (Rep. L. Lemmons, III)
439	5821		Yes	10/3	10/5	12/23/06 #	Land use; condemnation; procedures regarding just compensation and notice to occupants of property; revise. (Rep. B. McConico)
440	5942		Yes	10/3	10/5	10/5/06	Economic development; renaissance zones; requirements for renaissance zone status; modify. (Rep. D. Palsrok)
441	5348		Yes	10/18	10/19	10/19/06	Insurance; health; insurance code long-term care; make blue cross and blue shield subject to. (Rep. K. Green)
442	5349		Yes	10/18	10/19	10/19/06	Insurance; other; long-term care; provide for general amendments. (Rep. P. Zelenko)

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443		1226	Yes	11/27	11/27	11/27/06	Liquor; other; request via parent or guardian for alcohol testing of minor on probation; allow and include regular or random testing as condition of probation. (Sen. A. Cropsey)
444		1371	Yes	11/27	11/27	11/27/06	Higher education; financial aid; nursing scholarship act; expand to include students in master's degree in nursing program. (Sen. M. Switalski)
445		1052	Yes	11/27	11/27	11/27/06	Gaming; horse racing; wagers placed by racing commissioner and immediate family members; prohibit. (Sen. J. Allen)
446		1004	Yes	12/7	12/8	12/8/06	Property tax; assessments; definition of transfer of ownership; revise. (Sen. M. McManus)
447		567	Yes	12/14	12/14	1/1/07 #	Advertising; billboards; issuance of billboard permits; create moratorium. (Sen. T. George)
448		568	Yes	12/14	12/14	1/1/07 #	Highways; signs; permits for billboards; revise procedures. (Sen. J. Gilbert)
449	6031		Yes	12/14	12/14	12/14/06	Transportation; motor carrier fuel tax; joint and several liability; eliminate. (Rep. K. Green)
450		701	Yes	12/14	12/14	12/14/06	Law enforcement; law enforcement information network (LEIN); reports of missing endangered seniors; revise procedures for. (Sen. C. Brown)
451		1328	Yes	12/14	12/14	12/14/06	Animals; other; use of certain animal tranquilizers by animal control shelters and animal protection shelters; allow. (Sen. R. Jelinek)

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452	5682		Yes	12/14	12/14	12/14/06	Highways; name; Rosa Parks expressway; revise to list US-24 as termination point. (Rep. M. Hood)
453	5961		Yes	12/14	12/14	12/14/06	Vehicles; motorcycles; oscillating lights on the front of motorcycles; allow. (Rep. R. Jones)
454	6075		No	12/14	12/14	3/30/07	Aeronautics; airports; penalty for trespassing at airports; designate as misdemeanor. (Rep. D. Law)
455	6186		Yes	12/14	12/14	12/14/06	Highways; bridges; certain bridge on M-22 in Leelanau county; designate as "Carl Oleson, Jr. bridge". (Rep. D. Palsrok)
456	4042		Yes	12/19	12/20	12/20/06	Weapons; licensing; fingerprinting requirement for renewal of concealed weapons permit; eliminate. (Rep. F. Sheen)
457	5435		Yes	12/19	12/20	12/20/06	Law enforcement; other; possession and operation of electrical devices designed to temporarily incapacitate persons; allow for certain detention officers. (Rep. R. Jones)
458	5492		Yes	12/19	12/20	3/20/07	Controlled substances; drug paraphernalia; exemptions regarding possession and sale of drug paraphernalia; clarify. (Rep. K. Elsenheimer)
459	6039		Yes	12/19	12/20	12/20/06	Health; funding; health care information technology and infrastructure development fund; create. (Rep. G. Newell)

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460	6318		Yes	12/19	12/20	12/20/06	Administrative procedure; rules; license applicant to be named and admitted as a party in any contested case or judicial review involving the application for license or license itself; require under certain circumstances. (Rep. K. Elsenheimer)
461	6455		Yes	12/19	12/20	1/1/07	Crime victims; rights; notification to victims, division of payments to victims, and administrative fees; revise requirements. (Rep. W. Van Regenmorter)
462	6359		Yes	12/19	12/20	12/20/06	Insurance; health; medicare supplement policies; modify. (Rep. R. Ball)
463	5580		Yes	12/19	12/20	12/20/06	Elections; election officials; county board of commissioners or county clerk requesting information from board of county canvasser nominees; allow. (Rep. S. Hummel)
464	5885		Yes	12/19	12/20	12/20/06	Land use; planning; period for county to review municipal plans; shorten. (Rep. J. Stakoe)
465	5886		Yes	12/19	12/20	12/20/06	Land use; planning; period for county to review township plans; shorten. (Rep. J. Stakoe)
466	5960		Yes	12/19	12/20	12/20/06	Natural resources; inland lakes; public access sites on inland lakes and streams; expressly authorize townships to regulate activities. (Rep. J. Stakoe)
467	6303		Yes	12/19	12/20	12/20/06	Economic development; brownfield redevelopment authority; dates for capture; clarify. (Rep. J. Kooiman)

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468	6580		Yes	12/19	12/20	12/20/06 #	Human services; services or financial assistance; family independence eligibility, work first exemptions, and noncompliance penalties; revise. (Rep. J. Kooiman)
469	6587		Yes	12/19	12/20	12/20/06 #	Human services; services or financial assistance; family self-sufficiency plan; revise. (Rep. C. Kolb)
470		1500	Yes	12/19	12/20	12/20/06 #	Human services; other; sanctions and accountability for recipients of assistance; implement. (Sen. B. Hardiman)
471		1501	Yes	12/19	12/20	12/20/06 #	Human services; employment and training; work first participation requirements; revise. (Sen. B. Hardiman)
472		387	Yes	12/19	12/20	12/20/06	Single business tax; credit; research and development expenses for qualified technology; provide for. (Sen. B. Patterson)
473		1357	Yes	12/19	12/20	12/20/06	Health facilities; hospitals; definition of hospital and community hospitals and related facilities; expand to include certain facilities. (Sen. M. McManus)
474		906	Yes	12/19	12/20	12/20/06	State; other; chief compliance officer; create. (Sen. V. Garcia)
475		584	Yes	12/20	12/21	12/21/06	Economic development; renaissance zones; definition of alternative energy zone; modify. (Sen. D. Olshove)
476		1148	Yes	12/20	12/21	12/21/06	Economic development; renaissance zones; number of renaissance zones; increase. (Sen. T. Stamas)

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477		924	Yes	12/21	12/21	12/21/06	Natural resources; other; annual state park permit or ORV license; extend sunset on certain fees and provide for replacement of permit or license if lost or destroyed. (Sen. M. McManus)
478	6302		Yes	12/21	12/21	12/21/06 #	Higher education; financial aid; eligibility for Michigan merit award scholarships; eliminate for high school students graduating after 2005-2006. (Rep. T. Hunter)
479		1335	Yes	12/21	12/21	12/21/06	Higher education; financial aid; new Michigan promise grant program; create, and repeal Michigan merit award scholarship program. (Sen. D. Cherry)
480	6456		Yes	12/21	12/21	1/1/07	Communications; cable; regulation of competitive cable service providers; provide for. (Rep. M. Nofs)
481		465	Yes	12/19	12/22	12/22/06	Health; medical records; provision for the protection, retention, and maintenance of medical records by health professionals and health facilities; implement. (Sen. G. Jacobs)
482		468	Yes	12/19	12/22	12/22/06	Civil rights; public records; protected health information; exempt from disclosure under freedom of information act. (Sen. D. Cherry)
483		1111	Yes	12/28	12/28	12/28/06	Economic development; other; tax incentives for distribution and warehousing facilities; provide for. (Sen. C. Brown)

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484	6118		Yes	12/28	12/29	12/29/06	Economic development; Michigan economic growth authority; certain credits; modify. (Rep. T. Schuitmaker)
485		1128	Yes	12/28	12/29	12/29/06	Family law; child custody; modification of child support assessment for certain military personnel; provide for. (Sen. V. Garcia)
486	5221		Yes	12/28	12/29	1/1/07	Courts; district court; allowable number of small claims filed per week by municipalities; increase. (Rep. D. Hildenbrand)
487	6275		Yes	12/28	12/29	1/1/07	Corrections; parole; special requirements for parolees who were convicted of violent felonies or who are substance abusers; impose. (Rep. D. Robertson)
488		1292	Yes	12/28	12/29	1/1/07	Children; adoption; safe delivery of newborns program; provide for general amendments. (Sen. S. Johnson)
489		603	Yes	12/28	12/29	10/1/07 #	Occupations; auctioneers; statewide registration of auctioneers; provide for. (Sen. R. Jelinek)
490		604	Yes	12/28	12/29	12/29/06 #	Occupations; licensing fees; registered auctioneers; provide for. (Sen. R. Jelinek)
491		1288	Yes	12/28	12/29	12/29/06	Labor; job development; workforce development system; establish. (Sen. V. Garcia)
492		124	Yes	12/28	12/29	12/29/06 #	Environmental protection; prohibited products; sale of thermostat devices containing mercury; prohibit. (Sen. P. Birkholz)

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493		123	Yes	12/28	12/29	12/29/06 #	Environmental protection; prohibited products; sale or use of blood pressure recording devices that contain mercury; prohibit. (Sen. L. Brater)
494		186	Yes	12/28	12/29	12/29/06 #	Environmental protection; prohibited products; sale or use of certain health care products that contain mercury; prohibit. (Sen. R. Jelinek)
495		1426	Yes	12/28	12/29	12/29/06	Insurance; health; certain government employees having rights under the patient's right to independent review act; provide for. (Sen. B. Hammerstrom)
496		670	Yes	12/28	12/29	12/29/06	Property; conveyances; sale of certain state owned property in St. Clair flats to leaseholders; provide for. (Sen. M. McManus)
497		459	Yes	12/28	12/29	1/3/07 #	Liens; construction; various provisions regarding construction liens on residential property, including fees for membership in the homeowner construction lien recovery fund; revise. (Sen. R. Basham)
498		868	Yes	12/28	12/29	12/29/06	Property tax; delinquent taxes; distribution of revenue generated from the tax reversion process; expand. (Sen. L. Toy)
499	4317		Yes	12/28	12/29	12/29/06	Counties; other; county road commission; provide option to expand membership or eliminate. (Rep. A. Lipsey)

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500	5453		Yes	12/28	12/29	12/29/06	Natural resources; forests; report on site restrictions that restrain timber sales; provide for on state lands. (Rep. T. Casperson)
501		162	Yes	12/28	12/29	12/29/06 #	Liquor; licenses; redevelopment project area liquor license; create and substitute for development district license. (Sen. G. Jacobs)
502		163	Yes	12/28	12/29	12/29/06 #	Liquor; licenses; development district liquor licenses; revise issuance. (Sen. J. Allen)
503		840	No	12/28	12/29	3/30/07	Agriculture; fertilizer; labeling requirements; modify, and make several revisions. (Sen. W. Kuipers)
504		927	Yes	12/28	12/29	12/29/06 #	Trade; containers; handling of liquefied petroleum gas containers; require training. (Sen. J. Allen)
505		928	Yes	12/28	12/29	12/29/06 #	Trade; containers; transfer of liquefied petroleum gas into and out of containers; create civil remedy for unauthorized transfer and affirmative defense in collection action. (Sen. J. Allen)
506		1104	Yes	12/28	12/29	3/1/07	Civil procedure; costs and fees; cost of publishing legal notices; index to inflation. (Sen. A. Cropsey)
507		1110	Yes	12/28	12/29	12/29/06	Criminal procedure; probation; allowable term of probation for misdemeanor child abuse; increase. (Sen. V. Garcia)

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508		1125	Yes	12/28	12/29	12/29/06	Consumer protection; unfair trade practices; unauthorized use of name of recording group by performing music group; prohibit. (Sen. M. Scott)
509		1257	Yes	12/28	12/29	12/29/06	Traffic control; traffic regulation; procedures for wreckers towing certain vehicles; clarify. (Sen. A. Sanborn)
510		1266	Yes	12/28	12/29	4/1/07	Occupations; notaries public; eligibility for licensed attorneys to serve as notaries public; provide for. (Sen. M. Bishop)
511		1269	Yes	12/28	12/29	12/29/06	Insurance; life; group life insurance general amendments; provide for. (Sen. G. Van Woerkom)
512		1393	Yes	12/28	12/29	12/29/06 #	Single business tax; credit; technical amendments in the social welfare act; coordinate programs with individual or family development account program act. (Sen. B. Hardiman)
513		640	Yes	12/28	12/29	1/1/07 #	Income tax; other; individual or family development account program act; create. (Sen. S. Thomas)
514	5022		Yes	12/28	12/29	12/29/06 #	Income tax; credit; contributions into individual or family development accounts; provide for. (Rep. D. Robertson)
515		1398	Yes	12/28	12/29	12/29/06	Education; school districts; applicability of urban cooperation act of 1967 to agreements or cooperative arrangements among school districts and intermediate school districts; clarify. (Sen. W. Kuipers)

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516		1399	Yes	12/28	12/29	12/29/06	Vehicles; registration plates; use of in-transit repair plate; clarify. (Sen. S. Johnson)
517		1404	Yes	12/28	12/29	12/29/06	Crimes; penalties; harassing, interfering with, or injuring person engaged in search and rescue operation or search and rescue animal; prohibit, and provide penalties. (Sen. M. Goschka)
518		1405	Yes	12/28	12/29	12/29/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of harassing, interfering with, or injuring person engaged in search and rescue operation or search and rescue animal; enact. (Sen. M. Goschka)
519		1408	Yes	12/28	12/29	12/29/06	Natural resources; gas and oil; treatment of gas and oil rights in tax foreclosure process; clarify. (Sen. P. Birkholz)
520		1418	Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; revise definitions. (Sen. R. Basham)
521		1419	Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; allow scrap tires to be delivered to or hauled by additional categories of persons. (Sen. L. Brater)
522		1420	Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; revise storage requirements and exempt commodity storage from bond requirement. (Sen. M. Schauer)

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523		1421	Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; revise requirements for scrap tire processors to be exempt from bonding. (Sen. R. Jelinek)
524		1422	Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; expand activities eligible for grants and provide for lien for cost of cleanup of certain sites. (Sen. P. Birkholz)
525		1423	Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; require report and establish advisory committee. (Sen. M. McManus)
526		1424	Yes	12/28	12/29	12/29/06 #	Vehicles; registration; funding for scrap tire regulatory fund; extend sunset. (Sen. M. McManus)
527	6474		Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; require registration of portable tire shredders and expand categories of delivery destinations reportable on manifest. (Rep. P. Pavlov)
528	6475		Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; provide for lien on certain cleanup sites. (Rep. M. Gillard)
529	6476		Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; require maintenance of records by retreaders. (Rep. D. Palsrok)
530	6477		Yes	12/28	12/29	12/29/06 #	Environmental protection; solid waste; scrap tire program; confer inspection authority. (Rep. F. Miller)

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531		1481	Yes	12/28	12/29	12/29/06	Natural resources; inland lakes; general permits; authorize for projects including the maintenance or repair of certain pipelines. (Sen. P. Birkholz)
532		1495	Yes	12/28	12/29	12/29/06	Corrections; parole; appointment of attorney for indigent prisoners at certain parole revocation hearings; allow. (Sen. A. Cropsey)
533		1508	Yes	12/28	12/29	12/29/06	Corrections; other; procedures relating to prisoner disruption and escape; revise to include private prison. (Sen. M. McManus)
534		095	Yes	12/28	12/29	12/29/06	Education; other; requirement for instructional hours; revise in school code to conform to school aid act. (Sen. V. Garcia)
535	6631		Yes	12/28	12/29	12/29/06	Crimes; escape; definition of place of confinement for purposes of establishing prison break; revise, and increase penalty. (Rep. G. Hansen)
536	6632		Yes	12/28	12/29	12/29/06 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of escaping from prison or other lawful place of confinement; revise to reflect increased penalty. (Rep. G. Hansen)
537	5815		Yes	12/28	12/29	1/1/07	Insurance; health; continuation of health coverage for dependent students who leave college for medical reasons; require. (Rep. P. Pavlov)

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538	5816		Yes	12/28	12/29	1/1/07	Insurance; health care corporations; continuation of health coverage for dependent students who leave college for medical reasons; require. (Rep. P. Pavlov)
539	5853		Yes	12/28	12/29	12/29/06	Liquor; licenses; special license; expand issuance. (Rep. R. Jones)
540	5999		Yes	12/28	12/29	12/29/06	Corrections; state facilities; furnishing cellular telephones or other wireless communication devices to prisoners; prohibit. (Rep. P. Condino)
541	6000		Yes	12/28	12/29	12/29/06 #	Criminal procedure; sentencing guidelines; guidelines for crime of furnishing cell phones or similar devices to prisoners; create. (Rep. P. Condino)
542	6032		Yes	12/28	12/29	12/29/06	Insurance; health; patient rights to independent review; clarify. (Rep. R. Kahn)
543	6181		Yes	12/28	12/29	12/29/06	Criminal procedure; arrests; use of LEIN to determine if person is on parole; require, and provide notification to department of corrections. (Rep. D. Acciavatti)
544	6271		No	12/28	12/29	3/30/07	Courts; contempt; punishment for criminal contempt; revise to include probation. (Rep. D. Law)
545	6363		Yes	12/28	12/29	12/29/06	Law enforcement; other; confiscation of lawfully possessed firearms when a state of emergency is declared; prohibit under certain circumstances. (Rep. S. Hummel)

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546	6364		Yes	12/28	12/29	12/29/06	Weapons; firearms; confiscation of lawfully possessed firearms when a state of emergency is declared; amend the governor's emergency powers act to prohibit. (Rep. S. Hummel)
547	6449		Yes	12/28	12/29	12/29/06	Liquor; other; notice regarding back taxes under the successor liability law; clarify. (Rep. J. Kooiman)
548	6553		No	12/28	12/29	3/30/07	Criminal procedure; sentencing guidelines; offense variable involving multiple victims; expand to award points for financial "injury" to victims. (Rep. J. Stakoe)
549	4806		Yes	12/28	12/29	12/29/06 #	Traffic control; traffic regulation; enforcement of certain Michigan vehicle code violations on publicly accessible private roads; allow. (Rep. J. Stakoe)
550	5033		Yes	12/28	12/29	12/29/06	Property tax; exemptions; methane digester and methane digester electric generating system; exempt. (Rep. R. Ball)
551	5278		No	12/28	12/29	3/30/07	Animals; dogs; local units of government providing information to dog owners concerning microchip implantation and tattoo identification; require when issuing a dog license. (Rep. S. Bieda)
552	5657		No	12/28	12/29	3/30/07	Crimes; controlled substances; drug free zones; expand to include libraries. (Rep. G. Cushingberry)

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553	5658		No	12/28	12/29	3/30/07 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of possessing or distributing a controlled substance within 1,000 feet of a library; enact. (Rep. G. Cushingberry)
554	6043		Yes	12/28	12/29	12/29/06	Economic development; commercial redevelopment; definition of commercial property; revise to include multifamily residential use and provide other amendments. (Rep. J. Pastor)
555	6239		Yes	12/28	12/29	12/29/06	Counties; financing; fiscal year; provide for alternative dates. (Rep. D. Hildenbrand)
556	6322		Yes	12/28	12/29	12/29/06	Local government; other; abandoned bicycles; allow to be donated to a licensed charity. (Rep. J. Stakoe)
557	6348		Yes	12/28	12/29	12/29/06	Law enforcement; investigations; disclosures to crime stoppers organizations; provide for confidentiality. (Rep. W. Van Regenmorter)
558	6416		Yes	12/28	12/29	12/29/06	Criminal procedure; forfeiture; payment of forfeited funds to certain nonprofit crime prevention entities; allow under certain circumstances. (Rep. D. Hildenbrand)
559	6394		Yes	12/28	12/29	12/29/06	Corrections; jails; local corrections officers and certain city jail or lockup employees; exempt from concealed weapons law under certain circumstances. (Rep. R. Jones)

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560	6636		Yes	12/28	12/29	12/29/06	Environmental protection; hazardous waste; air emission standards for equipment leaks; adopt federal exceptions for automotive surface coating operations. (Rep. D. Palsrok)
561	6245		Yes	12/28	12/29	12/29/06	Agriculture; animals; regulations for privately owned cervidae producers; modify. (Rep. T. Casperson)
562	6137		Yes	12/28	12/29	1/1/07	Vehicles; fund-raising registration plates; procedure to establish fund-raising plates; provide for and create support our troops plate. (Rep. P. LaJoy)
563		647	Yes	12/28	12/29	12/29/06	Labor; fair employment practices; certain statements made by law enforcement officers to law enforcement agencies; regulate use and disclosure of. (Sen. A. Sanborn)
564	6009		Yes	1/3	1/3	1/3/07 #	Crimes; drunk driving; third or subsequent drunk driving or drug driving conviction regardless of the number of years elapsed since prior conviction; increase penalties. (Rep. K. Elsenheimer)
565		1241	Yes	1/3	1/3	10/31/10 #	State agencies (existing); state; maintenance of certain records of conviction for the life of the person; require. (Sen. J. Allen)
566		309	Yes	12/30	1/3	7/2/07	Consumer protection; other; notification of security breach of database containing personal identifying information; require. (Sen. S. Johnson)

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567	5420		Yes	12/30	1/3	1/3/07	Records; birth; exception to delayed registration; provide for under certain circumstances. (Rep. B. Caswell)
568	6300		Yes	12/30	1/3	1/3/07	Occupations; emergency medical technicians; experience required for licensure as an emergency medical services instructor-coordinator; revise, and clarify level of instruction. (Rep. D. Hildenbrand)
569	6308		Yes	12/30	1/3	1/3/07 #	Counties; employees and officers; notification of county medical examiners to verify identification through fingerprints, dental records, DNA, or other definitive identification procedures; require under certain circumstances. (Rep. M. Sak)
570	6309		Yes	12/30	1/3	1/3/07 #	Health; code; county medical examiner verification of identity of dead body under certain circumstances; require to comply with county medical examiners act. (Rep. M. Sak)
571	6310		Yes	12/30	1/3	1/3/07	Highways; name; renaming a portion of M-81 as the "Veterans of Foreign Wars Memorial Highway"; provide for. (Rep. T. Meyer)
572		405	Yes	12/30	1/3	1/3/07 #	Liens; construction; construction liens on residential property; revise various provisions. (Sen. V. Garcia)
573		454	No	12/30	1/3	3/30/07	Crimes; embezzlement; embezzlement from a nonprofit corporation or charitable organization; provide for increased penalties. (Sen. V. Garcia)

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574		455	No	12/30	1/3	3/30/07 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of embezzling from a nonprofit corporation or charitable organization; enact. (Sen. V. Garcia)
575		466	Yes	12/30	1/3	1/3/07	Human services; other; requirement to protect, maintain, retain, and dispose of patient medical records and other individually identifying information; establish. (Sen. B. Patterson)
576		649	Yes	12/30	1/3	1/3/07	Human services; medical services; county maintenance of effort rate for nursing homes; extend ending date. (Sen. T. Stamas)
577		1039	Yes	12/30	1/3	3/4/07	Sales tax; collections; eligibility for credit or refund for certain portion of a qualified sale of an auctioned item; clarify. (Sen. M. McManus)
578		1106	Yes	12/30	1/3	1/3/07	Family law; marriage and divorce; submission of a marriage application electronically, and marriage license affidavit as a nonpublic record; provide for. (Sen. B. Hammerstrom)
579		1203	Yes	12/30	1/3	1/3/07	Liens; foreclosure; individuals authorized to foreclose a mortgage; expand and provide certain revisions to redemption period. (Sen. A. Cropsey)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
580	6174		Yes	12/30	1/3	1/3/07	Children; child care; criminal history checks and criminal records checks for child care providers; require to be performed only 1 time if provider remains continuously licensed and require to follow school code procedures if child care service is operated within a school. (Rep. T. Schuitmaker)
581	6299		Yes	12/30	1/3	1/3/07	Financial institutions; banks; trust powers; revise. (Rep. D. Law)
582		1274	Yes	12/30	1/3	1/3/07	Health; code; members on state board of osteopathic medicine and surgery and automatic external defibrillators in life support vehicles; increase and require. (Sen. G. Jacobs)
583		1410	Yes	12/30	1/3	1/3/07	Children; protection; procedure regarding follow-up to report of child abuse or neglect that involves a licensed or registered facility or home; clarify. (Sen. B. Hardiman)
584		1499	Yes	12/30	1/3	1/3/07	Property; conveyances; certain state owned property in Roscommon county and Crawford county; provide for conveyance. (Sen. M. McManus)
585	5351		Yes	12/30	1/3	1/3/07	Natural resources; hunting; bounty paid for starlings and crows; repeal. (Rep. S. Bieda)
586	5927		Yes	12/30	1/3	1/3/07	Mental health; other; medical director of mental health services; provide for. (Rep. G. Leland)
587	6116		Yes	12/30	1/3	1/3/07	Counties; other; abandoned bicycles; allow to be donated to a licensed charity. (Rep. J. Stakoe)

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*** - See Act for applicable effective date.

+ - Line item veto

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* Proposed Rules

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
588	6325		Yes	12/30	1/3	1/3/07	Drains; drain commissioners; drain commissioner to appoint a designee to county parks and recreation commission; allow. (Rep. S. Taub)
589	6346		Yes	12/30	1/3	1/3/07	Traffic control; driver license; waiver on late fee for renewal of driver license for individuals called into active duty; provide for under certain circumstances. (Rep. K. Elsenheimer)
590	6387		Yes	12/30	1/3	1/3/07	Sales tax; exemptions; certain professional and collegiate sporting events; extend sunset on certain exemptions. (Rep. S. Taub)
591	6392		Yes	12/30	1/3	1/3/07	Occupations; dentists; special volunteer license for retired dentists; provide for. (Rep. R. Shaffer)
592	6576		Yes	12/30	1/3	1/3/07	Environmental protection; permits; inland lakes and streams permit application; provide for meeting between applicant and department of environmental quality to review. (Rep. J. Pastor)
593	6603		Yes	12/30	1/3	1/3/07	Insurance; health; health care insurer file sharing; require. (Rep. B. Caswell)
594	6630		No	12/30	1/3	3/30/07 #	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of buying or selling stolen scrap metal; enact. (Rep. M. Waters)
595	6663		Yes	12/30	1/3	1/3/07	Transportation; carriers; hour limitations for driving solely within Michigan; revise. (Rep. P. LaJoy)
596	6681		Yes	12/30	1/3	1/3/07	Libraries; other; appointment of township library board members; provide authority to township supervisor. (Rep. D. Law)

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* Proposed Rules

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
597	5337		Yes	12/30	1/3	1/3/07	Military affairs; other; waiver from "administrative hearings" while deployed or serving on active duty; provide for. (Rep. R. Jones)
598	4315		Yes	12/30	1/3	1/3/07	Counties; boards and commissions; county road commission; provide option to expand membership or eliminate. (Rep. J. Hoogendyk)
599	6187		Yes	12/30	1/3	1/3/07	Vehicles; title; title provision; clarify effective date of title transfer. (Rep. D. Palsrok)
600	6368		Yes	12/31	1/3	1/3/07	Traffic control; accidents; requirement for a diagnostic study team to review a rail-car accident resulting in a fatality; revise. (Rep. K. Angerer)
601	6577		Yes	12/31	1/3	1/3/07 #	Water; quality; waterworks systems; provide for expedited permit in limited circumstances. (Rep. J. Pastor)
602	6668		Yes	12/31	1/3	1/3/07 #	Environmental protection; sewage; construction permits; provide for expedited review. (Rep. J. Pastor)
603	5872		Yes	12/31	1/3	1/3/07	Environmental protection; cleanups; dioxin; recalculate cleanup criteria based upon report issued by the national research council of the national academies. (Rep. J. Moolenaar)
604	5923		Yes	12/31	1/3	1/3/07	Mental health; recipient rights; reporting procedure for the state recipient rights director; clarify. (Rep. F. Amos)

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+ - Line item veto

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto	4328					1/10/07	Elections; petitions; size of initiative and referendum petition form; revise. (Rep. L. Drolet)
Veto	4596					6/26/06	Criminal procedure; sentencing guidelines; violations in a drug free park zone; include in sentencing guidelines. (Rep. B. Caul)
Veto	5300					12/29/06	Housing; housing development authority; requirement for a valid social security number for state-backed loan eligibility; provide for. (Rep. R. Gosselin)
Veto	5301					1/3/07	Higher education; financial aid; Michigan nursing scholarship act; clarify citizenship requirement. (Rep. B. Vander Veen)
Veto	5302					1/3/07	Higher education; financial aid; part-time independent student grant program; clarify citizenship requirement. (Rep. J. Hoogendyk)
Veto	5303					1/3/07	Higher education; financial aid; state competitive scholarships; add citizenship requirement. (Rep. J. Pastor)
Veto	5304					1/3/07	Higher education; financial aid; work-study program; clarify citizenship requirement. (Rep. R. Gosselin)
Veto	5305					1/3/07	Higher education; financial aid; MWS work-study program; clarify citizenship requirement. (Rep. J. Marleau)
Veto	5306					1/3/07	Higher education; financial aid; Michigan educational opportunity grant program; clarify citizenship requirement. (Rep. P. LaJoy)

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* Proposed Rules

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto	5307					1/3/07	Higher education; financial aid; tuition grants for students by independent colleges; add citizenship requirement. (Rep. J. Stahl)
Veto	5308					1/3/07	Higher education; financial aid; tuition differential grants; add citizenship requirement. (Rep. J. Stahl)
Veto	5309					1/3/07	Higher education; financial aid; legislative merit award scholarships; add citizenship requirement. (Rep. K. Green)
Veto	5355					2/3/06	Taxation; administration; issuance of retroactive application; modify. (Rep. F. Sheen)
Veto	5363					2/3/06	Taxation; administration; authority of state treasurer to settle tax disputes; provide for certain procedures. (Rep. J. Stakoe)
Veto	5386					2/3/06	Use tax; exemptions; certain exemptions; eliminate. (Rep. R. Kahn)
Veto	5447					2/3/06	Labor; health and safety; promulgation of rules regarding workplace ergonomics; prohibit. (Rep. R. Jones)
Veto	5637					1/10/07	Traffic control; violations; weight restriction during frost restriction periods; provide exemption for trucks transporting heating fuel under certain circumstances. (Rep. J. Kooiman)
Veto	5648					5/12/06	Elections; election officials; board of state canvassers and director of elections; revise duties concerning ballot question petitions. (Rep. T. Schuitmaker)

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* Proposed Rules

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto	5649					5/12/06	Elections; election officials; court review of determination made by state director of elections; revise to include. (Rep. B. Vander Veen)
Veto	5650					5/12/06	Elections; election officials; board of state canvassers and director of elections; revise duties concerning ballot question petitions. (Rep. C. Ward)
Veto	5743					3/31/06	Single business tax; repeal; repeal of single business tax; provide for. (Rep. L. Drolet)
Veto	5744					3/23/06	Mental health; code; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit. (Rep. B. Caswell)
Veto	5745					3/23/06	Health; code; promulgating rules or exceptions to rules that grant preferences in licensure to providers, facilities, or employers licensed under the code that have collective bargaining agreements with employees; prohibit. (Rep. R. Shaffer)
Veto	6004					1/10/07	Education; intermediate school districts; procedures for the election of intermediate school district boards and certain provisions concerning intermediate school district expenditures; revise and allow certain enrollment preference for certain public school academies. (Rep. B. Palmer)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto	6440					12/28/06	Children; protection; office of children's ombudsman; transfer to legislative council. (Rep. D. Law)
Veto	6694					1/10/07	Local government; bonds; prefunded retiree health care; provide for. (Rep. D. Hildenbrand)
Veto		102				1/4/07	Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility. (Sen. A. Cropsey)
Veto		179				3/3/06	Labor; youth employment; youth employment standards; revise maximum number of hours a minor may work. (Sen. T. Stamas)
Veto		248				12/22/06	Traffic control; speed restrictions; establishing speed restrictions on dirt and gravel roads; revise. (Sen. B. Patterson)
Veto		297				6/23/06	Vehicles; motorcycles; requirement of wearing crash helmets; provide exceptions under certain circumstances. (Sen. A. Cropsey)
Veto		372				3/31/06	Local government; public services; certain city managed water and sewer systems; provide for regionalization of. (Sen. L. Toy)
Veto		050				9/22/06	Liquor; licenses; "catering permit" for on-premises licensees to serve alcohol at locations other than the licensed premises under certain circumstances; provide for. (Sen. S. Johnson)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto		613				1/5/07	Criminal procedure; sentencing guidelines; crime of false report initiating special investigation; enact. (Sen. C. Brown)
Veto		631				1/5/07	Occupations; individual licensing and regulation; licensing fees; increase. (Sen. N. Cassis)
Veto		632				1/5/07	Occupations; individual licensing and regulation; residential builders; increase licensing fees, require department to keep record of complaints, require background checks on applicants, and increase penalty for unlicensed builder. (Sen. N. Cassis)
Veto		957				2/3/06	Single business tax; credit; alternative tax rate and percentage reduction in tax liability; revise. (Sen. N. Cassis)
Veto		973				5/12/06	Elections; election officials; board of state canvassers and director of elections; revise duties concerning ballot question language. (Sen. B. Hammerstrom)
Veto		974				5/12/06	Elections; election officials; board of state canvassers and director of elections; revise duties concerning ballot questions. (Sen. W. Kuipers)
Veto		975				5/12/06	Elections; election officials; board of state canvassers and director of elections; revise duties concerning ballot questions. (Sen. M. Bishop)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto		976				5/12/06	Elections; election officials; board of state canvassers and director of elections; revise duties concerning ballot question petitions. (Sen. A. Cropsey)
Veto		1026				3/23/06	Administrative procedure; rules; rule or exception to a rule; clarify in regard to the presence or lack of a collective bargaining agreement with employees. (Sen. B. Hardiman)
Veto		1027				3/23/06	Human services; adult foster care; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit. (Sen. A. Cropsey)
Veto		1028				3/23/06	Human services; other; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit. (Sen. A. Sanborn)
Veto		1081				12/21/06	Appropriations; capital outlay; 2006-2007 fiscal year; provide for. (Sen. M. Prusi)
Veto		1273				1/5/07	Occupations; construction; home repair and remodeling; provide for certain disclosures. (Sen. A. Sanborn)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto		1289				1/4/07	Mental health; other; provision relating to appointment of community mental health board; repeal. (Sen. B. Hammerstrom)
Veto		1412				1/4/07	Children; protection; federal requirement to submit central registry cases to national database; comply. (Sen. A. Sanborn)

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MICHIGAN ADMINISTRATIVE CODE TABLE
(2007 SESSION)

MCL 24.208 states in part:

“Sec. 8. (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(i) Other official information considered necessary or appropriate by the State Office of Administrative Hearings and Rules.”

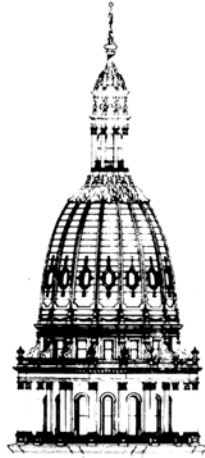
The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2007 RULE FILINGS)**

R Number	Action	2007 MR Issue	R Number	Action	2007 MR Issue	R Number	Action	2007 MR Issue
281.421	A	3	338.3162	*	4	400.12605	*	2
281.422	A	3	338.3162b	*	4	408.43a	*	4
281.423	A	3	338.3162c	*	4	408.43i	*	4
281.424	A	3	338.3162d	*	4	408.43k	*	4
281.425	A	3	339.22203	*	2	408.43m	*	4
281.426	A	3	339.22213	*	2	408.43q	*	4
281.427	A	3	339.22601	*	2	418.56	*	4
281.428	A	3	339.22602	*	2	421.1101	*	4
281.429	A	3	339.22603	*	2	421.1103	*	4
325.2651	*	3	339.22604	*	2	421.1104	*	4
325.2652	*	3	339.22605	*	2	421.1108	*	4
325.2653	*	3	339.22606	A	2	421.1109	*	4
325.2654	*	3	339.22607	*	2	421.1110	*	4
325.2655	*	3	339.22609	*	2	421.1111	*	4
325.2656	*	3	339.22613	*	2	421.1301	*	4
325.2657	*	3	339.22615	*	2	421.1301	*	4
325.2658	*	3	339.22617	*	2	421.1302	*	4
325.60025	*	3	339.22631	*	2	421.1304	*	4
336.1660	A	2	339.22639	R	2	421.1305	*	4
336.1661	A	2	339.22641	R	2	421.1307	*	4
338.471a	*	4	339.22645	*	2	421.1314	*	4
338.472	*	4	339.22651	*	2	421.1315	*	4
338.473	*	4	339.22652	A	2	421.1316	*	4
338.473a	*	4	339.22653	R	2	460.2701	A	3
338.473d	*	4	339.22654	R	2	460.2702	A	3
338.474a	*	4	339.22655	R	2	460.2703	A	3
338.475	*	4	339.22659	*	2	460.2704	A	3
338.479a	*	4	339.22663	R	2	460.2705	A	3
338.489	*	4	339.22664	R	2	460.2706	A	3
338.3041	*	4	339.22665	*	2	460.2707	A	3
338.3043	*	4	400.9101	*	2	550.111	A	4
338.3044	*	4	400.9306	*	2	550.112	A	4
338.3102	*	4	400.9401	*	2	550.301	A	4
338.312	*	4	400.9501	*	2	550.302	A	4
338.3123	*	4	400.12101	*	2	500.2201	A	4
338.3125	*	4	400.12202	*	2	500.2202	A	4
338.3132	*	4	400.12214	A	2			
338.3154	*	4	400.12310	*	2			
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(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)

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